FEDERAL REGISTER

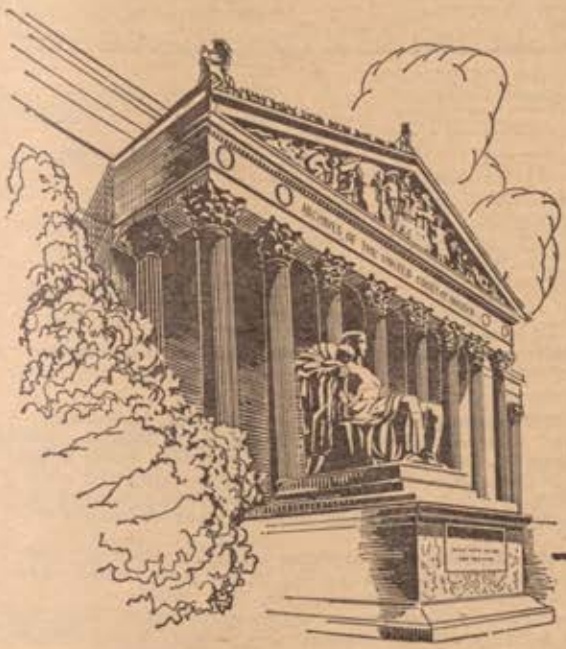
VOLUME 30 • NUMBER 83

Friday, April 30, 1965 • Washington, D.C.

Pages 6105–6136

Agencies in this issue—

Detailed list of Contents appears inside.



FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

Contents

(Continued on next page)

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

3 CFR

PROCLAMATION:
3654 ---- 6109

5 CFR

213 ---- 6111

6 CFR

4 ---- 6111

7 CFR

401 ---- 6111
1005 ---- 6111

10 CFR

PROPOSED RULES:
30 ---- 6118

14 CFR

25 ---- 6112
71 (4 documents) ---- 6113
73 ---- 6114
121 ---- 6112

PROPOSED RULES:
71 (3 documents) ---- 6119, 6120
73 ---- 6121
378 ---- 6119

17 CFR

240 ---- 6114

19 CFR

2 ---- 6116

21 CFR

121 ---- 6115
141a ---- 6115

24 CFR

200 ---- 6116

29 CFR

683 ---- 6116

47 CFR

73 ---- 6117

PROPOSED RULES:
73 ---- 6122

49 CFR

176 ---- 6117

50 CFR

PROPOSED RULES:
255 ---- 6119

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3654

MOTHER'S DAY, 1965

By the President of the United States of America

A Proclamation

WHEREAS the rapidly changing nature of our world requires more than ever that the American home shall be a haven of stability in which our people can develop their spiritual, intellectual, and physical capacities to the fullest; and

WHEREAS the mothers of America, in their devotion to their families, seek unselfishly to encourage in our homes an atmosphere in which the traditions of our Nation can flourish and the highest values of our civilization can be continually nurtured; and

WHEREAS the respect, gratitude, and love which the mothers of our Nation earn each day should be publicly and specially commemorated each year; and

WHEREAS by a joint resolution approved May 8, 1914 (38 Stat. 770), the Congress designated the second Sunday in May of each year as Mother's Day and requested the President to issue a proclamation calling for its observance in accordance with the provisions of that resolution:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby request that Sunday, May 9, 1965, be observed as Mother's Day; and I direct the appropriate officials of the Government to display the flag of the United States on all Government buildings on that day.

I urge the people of the United States to give public and private expression on that day to the abiding love and gratitude which they bear for their mothers by display of the flag at their homes or other suitable places and through prayer and thoughtful acts of affection and devotion.

I urge all mothers to be ever mindful of their responsibilities for assuring that their children develop into mature men and women prepared to assume the duties and privileges of American citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of April in the year of our Lord nineteen hundred and sixty-five, and of the Independence of the United States of America the one hundred and eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 65-4632; Filed, Apr. 29, 1965; 10:26 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Treasury Department

Section 213.3305 is amended to show that the position, Deputy Assistant to the Secretary (Congressional Relations), is no longer excepted under Schedule C. Effective upon publication in the FEDERAL REGISTER, subparagraph (7) of paragraph (a) of § 213.3305 is revoked.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 65-4539; Filed, Apr. 29, 1965; 8:48 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

SUBCHAPTER A—ADMINISTRATIVE PROVISIONS

PART 4—INFORMATION AND RECORDS

Reports of Farm Credit Examiners

In order to clarify the authority to disclose the contents of regular and special reports of examinations of banks and associations, § 4.2 of Title 6 of the Code of Federal Regulations (29 F.R. 7017) is amended to read as follows:

§ 4.2 Reports of farm credit examiners.

The contents of reports of examinations of either banks or associations made by farm credit examiners may not be disclosed without the consent of the Chief Examiner of the Farm Credit Administration. Consent is given for disclosure of reports of regular examinations to the banks and associations involved or interested but such disclosure of reports of special examinations shall only be by action or consent of the Chief Examiner in each instance. Consent is also given for disclosure of such reports to authorized representatives of the Farm Credit Administration and, when requested for confidential use in connection with the official investigation of matters touched upon therein, to agents of the Federal Bureau of Investigation, Department of Justice; Bureau of the Chief Postal Inspector, Post Office Department; the Secret Service, and the Internal Revenue Service of the Department of the Treasury; Office of the Inspector General, Department of Agriculture; and the General Accounting Office.

(Sec. 2, 42 Stat. 1459, sec. 4, 46 Stat. 13, as amended, sec. 6, 47 Stat. 14, as amended; 12 U.S.C. 665, 1101, 1141b)

R. B. TOOTELL,
Governor,
Farm Credit Administration.

[F.R. Doc. 65-4535; Filed, Apr. 29, 1965; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTY DESIGNATED FOR WHEAT CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following county is hereby added to the list of counties published March 4, 1965 (30 F.R. 2782), which were designated for wheat crop insurance for the 1966 crop year.

MONTANA

Carbon.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 65-4567; Filed, Apr. 29, 1965; 8:50 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 5]

PART 1005—MILK IN THE TRI-STATE MARKETING AREA

Order Amending Order

§ 1005.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Tri-State marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1965. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator was issued April 9, 1965, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued April 23, 1965. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1965, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement,

tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Tri-State marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. Section 1005.4 is revised to read as follows:

§ 1005.4 Tri-State marketing area.

"Tri-State marketing area", hereinafter called the "marketing area", means all the territory within the following designated districts, including territory within such districts occupied by government (Municipal, State or Federal) reservations, installations, institutions, or other similar establishments:

(a) "Charleston-Huntington district" means all the territory within the boundaries of the following:

(1) Kentucky counties of:

Boyd	Lawrence
Floyd	Magoffin
Greenup	Martin
Johnson	Pike

(2) West Virginia counties of:

Boone	Logan
Cabell	Putnam
Fayette	Raleigh
Kanawha	Wayne
Lincoln	Wyoming

(3) Lawrence County, Ohio;

(b) "Gallipolis-Scioto district" means all the territory within the boundaries of the following:

(1) Ohio counties of:

Gallia	Scioto
Meigs	Jackson

(2) Townships of Beaver, Camp Creek, Jackson, Marion, Newton, Pee Pee, Scioto, Seal, and Union in Pike County, Ohio;

(3) West Virginia counties of:

Jackson Mason Roane

(4) Magisterial Districts 2, 3, and 8 in Lewis County, Kentucky;

(c) "Athens district" means all the territory within the boundaries of the following:

(1) Athens and Washington Counties, Ohio; and

(2) Wood County, West Virginia.

2. Section 1005.51(a) is revised to read as follows:

§ 1005.51 Class I milk prices.

* * * * *

(a) Add for plants in each respective district as follows: Charleston-Huntington, $1.60; Gallipolis-Scioto, $1.50; and Athens, $1.40.

* * * * *

3. In § 1005.71(a), a new subparagraph (5) is added to read as follows:

§ 1005.71 Computation of uniform price.

* * * * *

(a) * * *

(5) Subtract for each month of April through July the amount obtained by multiplying the hundredweight of producer milk included in these computations by 20 cents for April and July and 25 cents for May and June: *Provided,* That from the effective date hereof through July 1965, the applicable rate pursuant to this subparagraph shall be 30 cents for each month.

* * * * *

4. Section 1005.72(c) is revised to read as follows:

§ 1005.72 Notification to handlers.

* * * * *

(c) The amounts to be paid by such handler pursuant to §§ 1005.80, 1005.84, 1005.85, and 1005.89 for such month.

5. Section 1005.80(a) is revised to read as follows:

§ 1005.80 Time and method of final payment.

* * * * *

(a) Except as set forth in paragraph (b) of this section, to each producer, on or before the 18th day after such month at not less than such handler's applicable uniform price for milk of 3.5 percent butterfat plus the payment provided in § 1005.89(b);

* * * * *

6. A new § 1005.89 is added to read as follows:

§ 1005.89 Seasonal adjustment fund.

The market administrator shall maintain a separate fund known as the "seasonal adjustment fund" into which he shall deposit all payments made to such fund and out of which he shall make all payments from such fund, as follows:

(a) On or before the 15th day after the end of each month of April, May, June, and July, each handler shall pay to the market administrator the amount subtracted pursuant to § 1005.71(a)(5) in computing the handler's uniform price; and

(b) On or before the 15th day after the end of each month of September, October, November, and December, the market administrator shall pay to each handler on all milk for which payment is to be made to producers pursuant to § 1005.80(a) for such month, and to each cooperative association on all producer milk for which such association is receiving payments pursuant to § 1005.80(b) for such month, at a rate per hundredweight determined as follows:

(1) Multiply the aggregate amount set aside in the immediately preceding months of April through July by 20 percent for each month of September and December and by 30 percent for October and November; and

(2) Divide the amount obtained for each month by the hundredweight of producer milk received by all handlers during the month, computed to the nearest cent per hundredweight.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date: May 1, 1965.

Signed at Washington, D.C., on April 27, 1965.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 65-4558; Filed, Apr. 29, 1965; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6609; Amdts. No. 25-4, 121-5]

PART 25—AIRWORTHINESS STANDARDS; TRANSPORT CATEGORY AIRPLANES

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Flight Crew Compartment Doors

The purpose of this amendment is to delete from the provisions of Part 25 of the Federal Aviation Regulations, the requirement that a door, equipped with a locking means, be installed between the passenger and pilot compartments and to incorporate such a requirement in Part 121 of the Federal Aviation Regulations.

Paragraph (e) of § 25.771 requires that a door be provided between the passenger and pilot compartments and that this door be equipped with a locking means to prevent passengers from opening the door without the pilot's permission.

The purpose of a compartment door is to prevent the passengers of an airplane from interfering with the crew during flight operations. Such a requirement has been found necessary for large airplanes used by air carrier and commercial operators in passenger-carrying operations. Therefore, the requirements concerning the installation of a door between the pilot and passenger compartments have been appropriately set forth in the airworthiness requirements for transport category airplanes. Neither the airworthiness requirements for airplanes in the normal, utility, and acrobatic categories nor the operating rules applicable to such airplanes require the installation of a door between the pilot and passenger compartments.

However, there has recently been introduced into service small-size jet airplanes designed for executive use which have had to be certificated under the transport category requirements. Such airplanes, while having the same passenger capacity as piston engine airplanes certificated under the normal, utility, or acrobatic requirements, have exceeded the maximum weight limita-

tion of 12,500 pounds because of the necessary increase in fuel load. In recognition of the fact that the compartment doors are not necessary on such airplanes, the Agency has granted several exemptions permitting them to be type certificated without having the doors installed.

In light of the foregoing, the Agency considers it appropriate to amend the regulations to permit transport category airplanes to be type certificated without the installation of a door between the pilot and passenger compartments rather than to continue issuing exemptions from the requirement. This amendment would have no adverse effect on the airworthiness of transport category airplanes since the door is not required as part of the airplane structure, nor is it necessary for the functioning of any required system or equipment in normal or emergency operation. At the same time, the operating rules set forth in Part 121 of the Federal Aviation Regulations applicable to air carrier and commercial operators are amended to incorporate the requirement for the installation of such a compartment door with a locking means.

Since this amendment merely transfers to the operating rules in Part 121, requirements which are currently applicable to airplanes used by air carriers and commercial operators and, in doing so, clarifies the requirements concerning the installation of compartment doors on transport category airplanes, the Agency finds that notice and public procedure thereon are unnecessary and it may be made effective on less than 30 days' notice.

In consideration of the foregoing, Chapter I of Title 14 of the Code of Federal Regulations is amended, effective April 30, 1965, as follows:

1. Section 25.771 of Part 25 is amended by striking out present paragraph (e) and redesignating paragraph (f) as paragraph (e).

2. Section 121.313(f) of Part 121 is amended to read as follows:

(f) A door between the passenger and pilot compartments, with a locking means to prevent passengers from opening it without the pilot's permission.

(Secs. 313(a), 601, 603, 604, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423, 1424)

Issued in Washington, D.C., on April 24, 1965.

N. E. HALABY,
Administrator.

[F.R. Doc. 65-4519; Filed, Apr. 29, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-7]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Change of Effective Date

On March 17, 1965, there was published in the FEDERAL REGISTER (30 F.R. 3516) an amendment to Part 71 of the Federal Aviation Regulations designating a control zone at Napa, Calif.

Subsequent to the publication of the amendment, it was determined that the FAA control tower at Napa County Airport would become operational during the month of July 1965. Therefore, action is taken herein to change the effective date of the rule to July 22, 1965.

Since 30 days will elapse from the time of publication of the rule as initially adopted to the new effective date, this change is made in compliance with section 4 of the Administrative Procedures Act.

In consideration of the foregoing, Airspace Docket No. 65-WE-7 is amended, effective immediately, as follows: "effective 0001 e.s.t., June 24, 1965" is deleted and "effective 0001 e.s.t., July 22, 1965" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on April 22, 1965.

WM. SLADE HARDEE,
Acting Director,
Western Region.

[F.R. Doc. 65-4515; Filed, Apr. 29, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Change of Effective Date

On March 30, 1965, there was published in the FEDERAL REGISTER (30 F.R. 4120) an amendment to Part 71 of the Federal Aviation Regulations designating a control zone for Montgomery Field, San Diego, Calif.

Subsequent to the publication of the amendment, it was determined that the FAA control tower at Montgomery Field would become operational during the month of July 1965. Therefore, action is taken herein to change the effective date of the rule to July 22, 1965.

Since 30 days will elapse from the time of publication of the rule as initially adopted to the new effective date, this change is made in compliance with section 4 of the Administrative Procedures Act.

In consideration of the foregoing, Airspace Docket No. 65-WE-8 is amended, effective immediately, as follows: "effective 0001 e.s.t., June 24, 1965" is deleted and "effective 0001 e.s.t., July 22, 1965" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on April 23, 1965.

WM. SLADE HARDEE,
Acting Director,
Western Region.

[F.R. Doc. 65-4516; Filed, Apr. 29, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-14]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Change of Effective Date

On April 10, 1965, there were published in the FEDERAL REGISTER (30 F.R. 4670) amendments to Part 71 of the Federal Aviation Regulations which designated the Cortez, Colo, control zone, altered the Cortez transition area, and altered VOR airways No. 187 and 211. These amendments were to become effective June 24, 1965.

Because of a delay in commissioning the Cortez VOR, action is taken herein to change the effective date of the rule to July 22, 1965.

Since 30 days will elapse from the time of publication of the rule as initially adopted to the new effective date, this change is made in compliance with section 4 of the Administrative Procedures Act.

In consideration of the foregoing, Airspace Docket No. 65-WE-14 is amended, effective immediately, as follows: "effective June 24, 1965" is deleted and "effective July 22, 1965" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on April 22, 1965.

WM. SLADE HARDEE,
Acting Director,
Western Region.

[F.R. Doc. 65-4517; Filed, Apr. 29, 1965; 8:45 a.m.]

[Airspace Docket No. 64-WE-64]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Change of Effective Date

On March 30, 1965, there was published in the FEDERAL REGISTER (30 F.R. 4121) an amendment to Part 71 of the Federal Aviation Regulations designating a control zone for Brackett Field, La Verne, Calif.

Subsequent to the publication of the amendment, it was determined that the FAA control tower at Brackett Field would become operational on June 24, 1965, instead of June 4, 1965. Therefore, action is taken herein to change the effective date of the rule to June 24, 1965.

Since 30 days will elapse from the time of publication of the rule as initially adopted to the new effective date, this change is made in compliance with section 4 of the Administrative Procedures Act.

In consideration of the foregoing, Airspace Docket No. 64-WE-64 is amended, effective immediately, as follows: "effective 0001 e.s.t., June 4, 1965" is deleted and "effective 0001 e.s.t., June 24, 1965" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on April 23, 1965.

WM. SLADE HARDEE,
Acting Director,
Western Region.

[F.R. Doc. 65-4518; Filed, Apr. 29, 1965; 8:45 a.m.]

[Airspace Docket No. 65-SW-3]

PART 73—SPECIAL USE AIRSPACE

Alterations of Restricted Areas

Correction

In F.R. Doc. 4343 appearing in the issue for Tuesday, April 27, 1965, at page 5831, the date of issuance prior to the signature reading "March 19, 1965" is corrected to read "April 19, 1965".

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 34-7581]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Equity Securities; Exemptions From Registration

On March 8, 1965, in Securities Exchange Act Release No. 7546 (30 F.R. 3551, March 17, 1965), the Securities and Exchange Commission published for comment its proposal to adopt Rule 3a11-1 (17 CFR 240.3a11-1) defining the term "equity security" as used in section 12(g) and section 16 of the act and Rule 12g-2 (17 CFR 240.12g-2) exempting issuers from the requirement to register certain equity securities under section 12(g). In deciding to adopt the latter proposal, with certain minor changes outlined below, the Commission has determined to redesignate proposed Rule 12g-2 as Rule 12h-2 (17 CFR 240.12h-2).

Section 12(g) of the Act requires certain issuers with total assets exceeding $1,000,000 to file a registration statement with this Commission registering each class of its non-exempt equity securities which is held of record by 750 or more persons at a fiscal year end after July 1, 1964, and each such class of equity securities held of record by 500 or more persons at a fiscal year end after July 1, 1966.[1] Such registration statement must be filed within 120 days after the first fiscal year end at which the class of equity security is held of record by the requisite number of persons, except as otherwise provided by Rule 12g-1 (17 CFR 240.12g-1).[2] It becomes effective 60 days after filing with the Commission or within such shorter period as the Commission may direct.

After such registration statement is effective issuers will be required to file current and annual reports pursuant to section 13 of the act and will be subject to the proxy and other rules adopted by the Commission pursuant to section 14 thereof. In addition, officers, directors and persons beneficially owning, directly or indirectly, more than 10 percent of a class of registered equity security of such issuer, will be required to file ownership reports with the Commission of the amount of each class of issuer's equity securities which are beneficially owned, whether or not registered, and any changes in such ownership pursuant to section 16(a) of the act. Such persons also will be subject to section 16(b) and 16(c) of the act.[3]

Equity security. After a review of the comments received with respect to Rule 3a11-1 the Commission has determined that it is necessary and appropriate in the public interest and for the protection of investors to include within the definition of the term "equity security" the equity interests specified in the proposal and has determined to adopt the rule as proposed.

As adopted, Rule 3a11-1 (§ 240.3a11-1) includes within the definition of the term "equity security" a broad range of equity interests, including any certificate of interest or participation in any profit sharing agreement. It makes clear that the term includes limited partnership interests, interests in joint ventures, certificates of interest in a business trust, voting trust certificates and American and foreign depository receipts for an equity security as well as various other securities. It should be noted that such securities are in addition to common, preferred, redeemable and other stocks which are specifically included within the definition of the term "equity security" in section 3(a)(11) of the act.

Exemption from registration. The Commission also received a number of helpful comments with respect to proposed Rule 12g-2. After consideration of these comments the Commission has determined that the exemptions from registration pursuant to section 12(g) provided by proposed Rule 12g-2 are not inconsistent with the public interest or the protection of investors and has determined to adopt the rule with certain minor additions. As noted above, the Commission has determined to designate the rule as adopted as Rule 12h-2 (§ 240.12h-2).

As adopted, Rule 12h-2 would exempt from registration pursuant to section 12(g) of the Act any interest or participation in an employee stock bonus, stock purchase, profit sharing, pension, retirement, incentive, thrift, savings or similar plan if the interest or participation is not transferable except in the event of death or mental incompetency. It would also exempt any security which is issued solely to fund such plans.

The rule as proposed would have exempted any interest or participation in a bank common trust fund. In order to make clear that the exemption is limited to the type of bank common trust fund interest which is also exempt from registration under the Investment Company Act of 1940, paragraph (b) of the rule as adopted has been revised to incorporate the specific language of section 3(c)(3) of the Investment Company Act of 1940.

The rule as adopted also makes clear that an issuer is not required to register any class of equity security which would not be outstanding 60 days after a registration statement otherwise would be required to be filed with respect thereto.

Other exemptions from the registration provisions of section 12(g) of the act may be provided by rule as the Commission gains experience under the new requirements of the act. In the meantime, section 12(h) of the act provides the Commission with authority to exempt by order any issuer or class of issuers from the registration provisions of section 12(g) upon application of an interested person, after notice and opportunity for hearing, if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer, or otherwise, that such action is not inconsistent with the public interest or the protection of investors.

Issuers and their counsel should note that Rule 12h-2 provides an exemption from only the new registration requirements of section 12(g) of the Exchange Act and that if any securities which are so exempted by the rule are publicly offered they must be registered under Securities Act of 1933 unless some exemption from that Act is available. Further, it should be noted that if such securities are registered under the Securities Act of 1933 issuers of such securities will be required by section 15(d) of the Exchange Act to file the annual and other reports with respect thereto required by that section unless they are exempt from such requirements.

Commission action. Part 240 of Title 17, Chapter II of the Code of Federal Regulations is amended by adding new §§ 240.13a11-1 and 240.12h-2 to read as follows:

[1] Definitions of the term "held of record" and "total assets" are contained in Rules 12g5-1 and 12g5-2 which were adopted Jan. 5, 1965 in Securities Exchange Act Release No. 7492 (17 CFR 240.12g5-1 and 240.12g5-2; see 30 F.R. 483). The term "class" is defined in section 12(g)(5) of the Act to include all securities of an issuer which are of substantially similar character and the holders of which enjoy substantially similar rights and privileges.

[2] Rule 12g-1, announced Sept. 15, 1964, in Securities Exchange Act Release No. 7429 (29 F.R. 13461), provides a temporary exemption from section 12(g) for issuers which do not file reports with this Commission under either section 13 or section 15(d) of the act. Pursuant to Rule 12g-1, such issuers which otherwise would be required to file a registration statement pursuant to section 12(g) at an earlier date may delay such filing until Apr. 30, 1965. A temporary exemption from section 14 until two months after a statement is due or Dec. 31, 1965, whichever is earlier, is also provided by such rule.

[3] Section 16(b) allows recovery by or on behalf of the issuer of any profits made by persons subject to section 16(a) in the purchase and sale, or sale and purchase, of such equity securities within a period of less than 6 months. Section 16(c) prohibits the sale of such equity securities by such persons if the person selling the equity security or his principal (1) does not own the equity security sold, or (2) if owning the equity security does not promptly deliver it against such sale—sometimes referred to as selling against the box.

§ 240.3a11–1 **Definition of the term equity security.**

The term "equity security" is hereby defined to include any stock or similar security, certificate of interest or participation in any profit sharing agreement, preorganization certificate or subscription, transferable share, voting trust certificate or certificate of deposit for an equity security, limited partnership interest, interest in a joint venture, or certificate of interest in a business trust; or any security convertible, with or without consideration into such a security, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right.

§ 240.12h–2 **Exemptions from registration under section 12(g) of the act.**

Issuers shall be exempt from the provisions of section 12(g) of the act with respect to the following securities:

(a) Any interest or participation in an employee stock bonus, stock purchase, profit sharing, pension, retirement, incentive, thrift, savings or similar plan which is not transferable by the holder except in the event of death or mental incompetency, or any security issued solely to fund such plans;

(b) Any interest or participation in any common trust fund or similar fund maintained by a bank exclusively for the collective investment and reinvestment of monies contributed thereto by the bank in its capacity as a trustee, executor, administrator, or guardian; and

(c) Any class of equity security which would not be outstanding 60 days after a registration statement would be required to be filed with respect thereto.

(Sec. 3, 48 Stat. 882, as amended; 15 U.S.C. 78c; sec. 3(d), 78 Stat. 566; 15 U.S.C. 781; sec. 23, 48 Stat. 901, as amended; 15 U.S.C. 78w)

In view of the fact that the definition contained in Rule 3a11–1, (§ 240.13a11–1) and the exemptions contained in Rule 12h–2 (§ 240.12h–2) are needed by issuers to determine whether they are subject to section 12(g) of the Act, the Commission deems it necessary that the rules be made effective upon publication on April 23, 1965.

By the Commission, April 23, 1965.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 65–4531; Filed, Apr. 29, 1965; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH AQUEOUS AND FATTY FOODS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 4B1451) filed by the Sun Chemical Corp., 631 Central Avenue, Carlstadt, N.J., 07072, and other relevant material, has concluded that § 121.2526 of the food additive regulations should be amended to provide for the use of zirconium oxide as a component of the food-contact surface of paper and paperboard intended for use in contact with aqueous and fatty foods. This amendment of § 121.2526 also serves to provide for the petitioner's proposed use of zirconium oxide as a component of paper and paperboard in contact with dry food, since § 121.2571 (b)(1) incorporates by reference substances that by § 121.2526 and other applicable regulations in Part 121 may be safely used as components of the uncoated or coated food-contact surface of paper and paperboard.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 121.2526(a)(5) is amended by inserting alphabetically in the list of substances the following new item:

§ 121.2526 **Components of paper and paperboard in contact with aqueous and fatty foods.**

* * * * * *

(a) * * *

(5) * * *

List of substances	Limitations
* * *	* * *
Zirconium oxide...	For use only as a component of waterproof coatings where the zirconium oxide is present at a level not to exceed 1 percent by weight of the dry paper or paperboard fiber and where the zirconium oxide is produced by hydrolysis of zirconium acetate.

* * * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: April 23, 1965.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

[F.R. Doc. 65–4550; Filed, Apr. 29, 1965; 8:48 a.m.]

SUBCHAPTER C—DRUGS

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

Hydrabamine Penicillin V Chewable Wafers

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.90), the regulations for tests and methods of assay for penicillin and penicillin-containing drugs (21 CFR 141a.121) are amended to describe in more detail the procedure for preparing the sample for bioassay and to specify more exactly the potency tolerance acceptable for certification of hydrabamine penicillin V chewable wafers.

Accordingly, § 141a.121 is amended by revising the introduction to paragraph (a) to read as follows:

§ 141a.121 **Hydrabamine penicillin V chewable wafers.**

(a) *Potency.* Proceed as directed in § 141a.1, using either the bioassay procedure or the iodometric chemical assay and employing the penicillin V working standard as the standard of comparison; however, the results from the bioassay shall be conclusive. If the bioassay method is used, prepare the sample as follows: Blend a representative number of wafers in a high-speed glass blender with methyl alcohol. Further dilute with methyl alcohol to 1,000 units per milliliter (estimated). By means of a volumetric pipette, add dropwise a 1.0 milliliter aliquot of the 1,000 units per milliliter concentration to a 1-liter volumetric flask containing approximately 800 milliliters of 1-percent phosphate buffer, pH 6.0, constantly swirling the flask during the addition. Make to a volume of 1,000 milliliters with 1-percent phosphate buffer, pH 6.0. If the iodometric chemical method is used, proceed as follows: Weigh and finely powder 10 wafers. Transfer an accurately weighed portion of the powdered wafers, equivalent to about 200,000 units, to a 100-milliliter volumetric flask. Dissolve the powder in chloroform, dilute to volume with chloroform, and mix. Pipet 10 milliliters of the solution into each of two 50-milliliter glass-stoppered centrifuge tubes. To one tube add 10.0 milliliters of 1*N* sodium hydroxide. To the other tube to be used as the blank add 10.0 milliliters of 1-percent phosphate buffer, pH 6.0. Shake both tubes vigorously for 20 to 30 seconds, and then centrifuge. Pipet 2.0 milliliters of the alkaline layer from the first tube into a glass-stoppered Erlenmeyer flask and let stand for a total of 15 minutes from the time the sodium hydroxide was added to the chloroform solution. At the end of the 15 minutes waiting period add 2.0 milliliters of 1.2*N* hydrochloric acid and 10.0 milliliters of 0.01*N* iodine, stopper the flask, mix, and allow to stand for 15 minutes. Titrate the excess iodine with 0.01*N* sodium thiosulfate, adding starch T.S. as the indicator toward the end of the titration. The endpoint is reached when the blue color of the starch-iodine complex is dis-

charged. Pipet 2.0 milliliters of the buffer from the second tube into a glass-stoppered Erlenmeyer flask, add 10.0 milliliters of 0.01*N* iodine, and titrate immediately with 0.01*N* sodium thiosulfate as described before. The potency of hydrabamine penicillin V chewable wafers is satisfactory if they contain not less than 90 percent and not more than 125 percent of the hydrabamine penicillin V that they are represented to contain.

* * * * *

Notice and public procedure and delayed effective date are not necessary prerequisites to the promulgation of this order, and I so find, since the changes serve only to clarify certain portions of existing regulations.

Dated: April 23, 1965.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 65-4551; Filed, Apr. 29, 1965; 8:48 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 56399]

PART 2—MEASUREMENT OF VESSELS

Deductions From Gross Tonnage; Marking

Section 4153 of the Revised Statutes, as amended (46 U.S.C. 77), permits certain spaces used for the accommodation of the master or the crew or for navigation purposes to be deducted from the gross tonnage of vessels if a prescribed marking showing the use of such space is "permanently cut in a beam and over the doorway of every such place." Section 2.49(c) of the Customs Regulations, which is based upon these statutory provisions, provides, among other things, that the required marking of deductible spaces may be made on a plate of metal permanently fastened in place by means of welding, riveting, or lock-type screws.

As a result of comprehensive studies and tests it has been determined by various agencies of the U.S. Government that the bonding of ships' label plates of metal to steel, aluminum, or other metals can be satisfactorily accomplished with certain approved synthetic contact-type adhesives.

The Bureau has concluded, on the basis of these tests, that plates so bonded can be considered permanent within the meaning of section 4153 of the Revised Statutes, as amended, and § 2.49(c) of the Customs Regulations.

Section 2.49(c) is amended by adding the following sentence at the end thereof: "The metal certification plates may be fastened in place to a metal door frame, on the inside of the space, by means of a metal-to-metal synthetic contact adhesive if the vessel owner or his agent satisfactorily establishes that the bonding agent is currently acceptable to the U.S. Coast Guard or the Department of the Navy for use on merchant ships or naval vessels for affixing metal hull label plates; and, further, certifies that the metal-to-metal bond will be accomplished in accordance with the techniques recommended by the manufacturer of the bonding agent."

(R.S. 161, as amended, secs. 2, 3, 23 Stat. 118, as amended, 119, as amended, R.S. 4153, as amended, sec. 4, 28 Stat. 743, as amended; 5 U.S.C. 22, 46 U.S.C. 2, 3, 77, 79)

Since this amendment provides for an additional permissive method of installing certification plates, and will benefit both builders and operators, no previous notice of rule making is considered necessary. This order shall be effective from the date of publication in the FEDERAL REGISTER.

[SEAL] LESTER D. JOHNSON,
Acting Commissioner of Customs.

Approved: April 22, 1965.

JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 65-4529; Filed, Apr. 29, 1965; 8:46 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations of Basic Authority and Functions

MISCELLANEOUS AMENDMENTS

In Part 200 in the table of contents the pertinent section heading is amended to read as follows:

Sec.
200.98 Chief Underwriter and Deputy, Chief Mortgage Credit Examiner and Deputy, Chief Appraiser and Deputy.

In § 200.87 paragraph (a) is amended to read as follows:

§ 200.87 Management Improvement Committee.

(a) *Members.* The Management Improvement Committee is comprised of the following members: Director of Management Division, Chairman; Director of Personnel, Vice Chairman; and one designee of each of the following: Assistant Commissioner - Comptroller; Assistant Commissioner for Multifamily Housing; Assistant Commissioner for Property Improvement; Assistant Commissioner for Technical Standards; Assistant Commissioner for Home Mortgages; Assistant Commissioner for Property Disposition; and Director of Budget Division.

* * * * *

Section 200.98 is amended to read as follows:

§ 200.98 Chief Underwriter and Deputy, Chief Mortgage Credit Examiner and Deputy, Chief Appraiser and Deputy.

To the positions of Chief Underwriter, Deputy Chief Underwriter, Chief Mortgage Credit Examiner, Deputy Chief Mortgage Credit Examiner, Chief Appraiser, Deputy Chief Appraiser, and to each of them there is delegated the following duties and functions:

(a) To issue commitments for insurance under any home mortgage insurance program and to approve modifications of such commitments for insurance.

(Sec. 2, 48 Stat. 1246, as amended; Sec. 211, 52 Stat. 23, as amended; Sec. 607, 55 Stat. 61, as amended; Sec. 712, 62 Stat. 1281, as amended; Sec. 907, 65 Stat. 301, as amended; Sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Issued at Washington, D.C., April 23, 1965.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 65-4534; Filed, Apr. 29, 1965; 8:47 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 683—RETAILING, WHOLESALING, AND WAREHOUSING INDUSTRY IN PUERTO RICO

Definition and Wage Rates

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), and by means of Administrative Order No. 589 (30 F.R. 586), the Secretary of Labor appointed and convened Industry Committee No. 72-A. Administrative Order No. 589 referred to Industry Committee No. 72-A the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the wholesaling, warehousing, and other distribution industry in Puerto Rico (the title of which is changed herein), and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 72-A are hereinafter published in these amendments to 29 CFR Part 683 which shall be effective May 16, 1965.

1. The title of 29 CFR Part 683 is amended to read as set forth above.

2. The reference to the title of the industry in § 683.1 is amended as follows:

§ 683.1 Definition.

The retailing, wholesaling, and warehousing industry in Puerto Rico is defined as follows: The wholesaling, warehousing, and other distribution of commodities, including, but without limitation, the wholesaling, warehousing, and other distribution activities of jobbers, importers and exporters, manufacturers' sales branches and offices engaged in distributing products manufactured outside of Puerto Rico, industrial distributors, mail order and retail selling establishments, brokers and agents, and public warehouses: *Provided, however,* That the industry shall not include the activities of employees who are engaged in wholesaling, warehousing, and other distribution of products manufactured by their employer in Puerto Rico, or any activities included in the definition of the communications, utilities, and transportation industry in Puerto Rico (Part 671 of this chapter), or in the definition of the tobacco industry in Puerto Rico (Part 657 of this chapter), or in the definition of the food and related products industry in Puerto Rico (Part 673 of this chapter).

3. Section 683.2 is amended to read as follows:

§ 683.2 Wage rates.

The retailing, wholesaling, and warehousing industry in Puerto Rico is divided into three classifications. Wages at rates not less than those prescribed in this section shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or the production of goods for commerce as those terms are defined in section 3 of the Act.

(a) *General classification.* (1) The minimum wage for this classification is $1.25 an hour.

(2) This classification applies to all activities of employees in the retailing, wholesaling, and warehousing industry in Puerto Rico to whom section 6 of the Act applies without reference to the Fair Labor Standards Amendments of 1961.

(b) *Retailing new coverage classification.* (1) The minimum wage for this classification is $1.00 an hour.

(2) This classificaiton is defined as all operations performed by employees of retail establishments and employees engaged in a local retailing capacity who are subject to section 6 of the Act only by reason of the 1961 amendments thereto.

(c) *Other new coverage classification.* (1) The minimum wage for this classification is $1.15 an hour between May 16, 1965, and September 2, 1965, and $1.25 an hour thereafter.

(2) This classification is defined as all activities and operations of employees to whom section 6 of the Act applies only by reason of the Fair Labor Standards Amendments of 1961 in the retailing, wholesaling, and warehousing industry in Puerto Rico except those included in the retailing new coverage calssification of the industry.

(Sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208)

Signed at Washington, D.C., this 27th day of April 1965.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 65-4556; Filed, Apr. 29, 1965; 8:49 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 15796; FCC 65-328]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, FM Broadcast Stations; Correction

In the matter of amendment of § 73.202 Table of Assignments, FM Broadcast Stations (Atmore, and Evergreen, Ala.; Colorado Springs, Colo.; Bethany and Chickasha, Okla.; Broomfield, Fort Collins and Littleton, Colo.; Anchorage, Alaska; Oneonta, N.Y.; Ellsworth, Maine; Little Rock, Ark.; Hays, Kans.; Cheboygan and Mackinaw City, Mich.; Neillsville and Rhinelander, Wis.; Oelwein and Spencer, Iowa; New Ulm, Minn.; Watertown, S. Dak.; Manchester, Conn.; Knoxville, Tenn.; Anoka and Cambridge, Minn.); Docket Nos. 15796, RM-665, RM-673, RM-679, RM-682, RM-684, RM-686, RM-691, RM-699, RM-712.

In the First Report and Order (FCC 65-328) released in this proceeding on April 22, 1965, the entry for Spencer, Iowa, in the table in paragraph 20 is corrected to read as follows:

City	*Channel No.*
Spencer, Iowa	221A, 299

Released: April 27, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4557; Filed, Apr. 29, 1965; 8:49 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES

[Ex Parte MC-19]

PART 176—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE

Practices of Motor Common Carriers; Postponement of Effective Date

It appearing that the order of the Commission dated March 16, 1965, specified April 30, 1965, as the effective date of the order of the Commission of May 6, 1964, in this proceeding; and

It further appearing, that in Civil Action No. 1108-61, Movers Conference of America, et al. v. United States, et al., the United States District Court for the Southern District of California, Central Division, has before it plaintiffs' motion for order to show cause why the Commission's order of May 6, 1964, in this proceeding should not be ordered vacated; and

It further appearing that the Court has issued such a show-cause order which the Court has made returnable on or about May 15, 1965; and good cause appearing therefor:

It is ordered, That the effective date of the order of May 6, 1964 (29 F.R. 9711, 14173, 16125, 19107; 30 F.R. 3597, 3963), be and it is hereby postponed until further order of the Commission.

Dated at Washington, D.C., this 23d day of April A.D. 1965.

By the Commission, Chairman Webb.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-4537; Filed, Apr. 29, 1965; 8:47 a.m.]

Proposed Rule Making

ATOMIC ENERGY COMMISSION

[10 CFR Part 30]

LICENSING OF BYPRODUCT MATERIAL

Proposed Labeling and Installation Requirements for Certain Devices Under General License

A general license is provided in § 30.21 (c) of 10 CFR Part 30, "Licensing of Byproduct Material", for ownership, receipt, acquisition, possession and use, under specified conditions, of byproduct material contained in certain measuring, gauging or controlling devices. One of the conditions of that general license is the requirement that the device bear a label which makes specific reference to § 30.21(c) of 10 CFR Part 30. Suppliers of devices possessed and used under the general license provided in § 30.21(c) have observed that the specific reference in the labels required by the Commission's regulations necessitates the use of different labels in agreement States [1] and non-agreement States.

The Commission has discussed the labeling of devices with representatives of the suppliers and of the agreement States and considers it desirable, in the interest of uniformity in labeling of generally licensed devices distributed throughout the United States, to amend the present labeling requirements for devices used under § 30.21(c). The label required by the proposed amendment to § 30.21(c)(3) of Part 30 would omit the specific reference to that paragraph and thus, following any needed amendment of agreement State regulations, could be used on devices within either agreement States or non-agreement States.

The amended regulation would permit devices acquired by general licensees prior to July 1, 1966, to bear labels presently authorized by § 30.21(c). Suppliers of these generally licensed devices would thus be allowed a reasonable time to deplete current stocks of labels.

Sections 30.21(c)(4)(ii), 30.21(c)(6)(iii) and 30.24(f)(3), which presently require the affixing and/or maintenance of labels stating that removal of the label is prohibited by the regulations of the Atomic Energy Commission, would also be revised to eliminate specific reference to the regulations of the Atomic Energy Commission.

There are now in use some devices which are otherwise qualified for a general license but which do not require installation in any usual sense of the word. Examples are (1) portable, battery-operated static eliminators and (2) ion generators which may be placed in operation merely by plugging a cord into an electrical wall outlet in the same manner as a person might place a portable electrical fan in operation. In order to make clear that such devices may be possessed and used under the general license of § 30.21(c)(1), it is proposed to revise § 30.21(c)(2)(ii), a condition which appears to restrict the general license to devices which have been installed by a person holding a specific license which authorizes installation of such devices. The condition of installation by a specific licensee, as revised, would apply only to devices which bear a label stating that installation by a specific licensee is required. The need for such installation, and for other instructions in the label, will continue to be determined by the Commission prior to issuance of the specific license to the manufacturer. Minor editorial changes to § 30.21(c)(2)(i) are also proposed.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, notice is hereby given that adoption of the following amendments of 10 CFR Part 30 is contemplated. All interested persons who desire to submit written comments or suggestions in connection with the proposed amendments should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, within 60 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

1. Section 30.21 is amended by revising paragraph (c)(2), (3), (4)(ii), and (6)(iii) to read as follows:

§ 30.21 General licenses.

* * * * *

(c) * * *

(2) The general license contained in subparagraph (1) of this paragraph (c) applies only to devices which have been: (i) Manufactured in accordance with the specifications contained in a specific license issued by the Commission to the manufacturer of the devices pursuant to § 30.24(f), or, in accordance with the specifications contained in a specific license issued to the manufacturer by an agreement State which authorizes the manufacture of the devices for distribution to persons generally licensed by the agreement State; and

(ii) Installed on the premises of the general licensee by a person authorized to install such devices under a specific license issued to the installer by the Commission pursuant to this part or by an agreement State, if a label affixed to the devices at the time of receipt states that installation by a specific licensee is required. The requirement of this subdivision (ii) does not apply while devices are held in storage in the original shipping container pending installation by a specific licensee.

(3) The general license contained in subparagraph (1) of this paragraph (c) applies only to devices which (i) are labeled in accordance with the provisions of the specific license which authorizes the distribution of the device to general licensees, and (ii) bear a label containing the following or a substantially similar statement which contains the information called for in the following statement: [2]

> The receipt, possession, use and transfer of this device, Model *----------, Serial No. *----------, are subject to a general license or the equivalent and the regulations of the U.S. AEC or of a State with which the AEC has entered into an agreement for the exercise of regulatory authority. Removal of this label is prohibited.
>
> CAUTION—RADIOACTIVE MATERIAL
>
> ----------
> (Name of supplier)*
>
> *The model, serial number and name of supplier may be omitted from this label provided they are elsewhere specified in labeling affixed to the device.

(4) * * *

(ii) Shall assure that all labels affixed to the device at the time of receipt and bearing a statement that removal of the label is prohibited are maintained thereon and shall comply with all instructions contained in such labels;

* * * * *

(6) * * *

(iii) Such person assures that any labels required to be affixed to the device under regulations of the agreement State which licensed manufacture of the device bear a statement that removal of the label is prohibited.

* * * * *

2. Section 30.24(f)(3) is revised to read as follows:

§ 30.24 Special requirements for issuance of specific licenses.

* * * * *

(f) *Distribution of devices to persons generally licensed under § 30.21(c).* * * *

(3) In describing the label or labels and contents thereon to be affixed to the device, the applicant should separately indicate those instructions and precautions which are necessary to assure safe operation of the device. Such instructions and precautions must be contained on labels bearing a statement that removal of the label is prohibited.

* * * * *

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 15th day of April 1965.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 65-4542; Filed, Apr. 29, 1965; 8:48 a.m.]

[1] A state to which the Commisison has transferred certain regulatory authority over radioactive material by formal agreement, pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

[2] Devices generally licensed under subparagraph (1) of this paragraph (c) acquired prior to July 1, 1966, may bear labels authorized by the regulations in this section in effect on Jan. 1, 1965.

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 255]

FISHING VESSEL MORTGAGE INSURANCE PROCEDURES

Proposed Definition of Fishing Vessel

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Act of July 5, 1960 (74 Stat. 314, 46 U.S.C. 1275–Note), and Title XI of the Merchant Marine Act of 1936, as amended (46 U.S.C. 1275), it is proposed to revise 50 CFR Part 255 as set forth below. The purpose of the revision is to change the definition of fishing vessel in these regulations to conform with the definition provided for in the United States Fishing Fleet Improvement Act (46 U.S.C. 1401 et seq.). Mortgage insurance as provided for in this part is frequently combined with the payment of subsidies under the United States Fishing Fleet Improvement Act so it is logical to provide for like definitions in the two programs.

This proposed regulation relates to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003); however, it is the policy of the Department of the Interior that whenever practicable the rule making requirements be observed voluntarily. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Commercial Fisheries, Department of the Interior, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

As amended paragraph (a) of § 255.2 reads as follows:

§ 255.2 Definitions.

(a) *Fishing vessel.* The term "fishing vessel" includes any vessel documented or to be documented as a fishing vessel of the United States which is designed to be used in catching fish, processing or transporting fish loaded on the high seas, or any vessel outfitted for such activity.

* * * * *

JOHN A. CARVER, JR.,
Under Secretary of the Interior.

APRIL 26, 1965.

[F.R. Doc. 65-4525; Filed, Apr. 29, 1965; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 378]

[Special Regs. Docket No. 15777]

ALL-EXPENSE TOURS BY SUPPLEMENTAL AIR CARRIERS AND TOUR OPERATORS

Supplemental Notice of Proposed Rule Making

APRIL 27, 1965.

By notice of proposed rule making, SPDR-6, dated January 5, 1965, and published in 30 F.R. 281, the Board gave notice that it had under consideration (1) the amendment of the interim certificates and interim operating authorizations of supplemental air carriers whom the Board finds qualified to perform all-expense-paid tours in interstate and overseas air transportation, and (2) the promulgation of a new Part 378 of the Board's Special Regulations to authorize, subject to the conditions provided therein, all-expense tours by tour operators with the air transportation portion thereof provided by the supplemental air carriers. Pursuant to this notice, extensive comments on the proposed action of the Board were submitted by supplemental air carriers, route carriers, travel agents, and other interested persons.

Upon further consideration, the Board has decided to defer further action in the rule making proceeding until after the issuance of the Examiner's Initial Decision in the Supplemental Air Service Proceeding, Docket 13795 et al.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 65-4570; Filed, Apr. 29, 1965; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-EA-20]

CONTROL ZONE, TRANSITION AREAS

Proposed Alteration, Designation

The Federal Aviation Agency is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations which would alter the Lexington, Ky., control zone (29 F.R. 17611) and designate a 700-foot above ground transition area over Blue Grass Field, Lexington, Ky., and a 1,200 foot-above ground Lexington, Ky., transition area.

The controlled airspace in the aforementioned terminal area is presently composed of the Lexington, Ky., control area extension (29 F.R. 17567) and the Lexington, Ky., control zone described as being within a 5-mile radius of Blue Grass Field and within 2 miles either side of the Lexington VORTAC 304° radial extending from the 5-mile radius zone to the VORTAC and within 2 miles either side of the Lexington Blue Grass ILS localizer NE course, extending from the 5-mile radius zone to the INT of the localizer NE course with the Lexington VORTAC 340° radial.

The proposed alteration of the Lexington, Ky., control zone would provide protection for aircraft executing prescribed instrument approach and departure procedures. The modification to the Lexington, Ky., control zone would reduce the length of the extension to the southeast.

The 700- and 1,200-foot floor transition areas would provide protection for aircraft executing prescribed instrument holding, arrival and departure procedures in the Lexington terminal area.

The floors of airways which traverse the transition areas proposed herein would coincide with the floors of the transition areas.

Specific details of the changes and minimum flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data, or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a comprehensive review of the airspace requirements for the terminal area of Lexington, Ky., attendant to the implementation of the provisions of Civil Air Regulation amendments 60-21 and 60-29 (26 F.R. 570, 27 F.R. 4012), proposes the airspace actions hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Lexington, Ky., control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 38°02'10" N., 84°36'15" W. of Blue Grass Field, Lexington, Ky., and within 2 miles each side of the Lexington VORTAC 304° radial extending from the 5-mile radius zone to 1 mile NW of the VORTAC and within 2 miles each side of the Lexington Blue Grass ILS localizer NE course extending from the 5-mile radius zone to 5 miles NE of the localizer.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700- and 1,200-foot above ground Lexington, Ky., transition area described as follows:

LEXINGTON, KY.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, 38°02'10" N., 84°36'15" W. of Blue Grass Field, Lexington, Ky., and within 2 miles each side of the Lexington Blue Grass ILS localizer NE course extending from the 7-mile radius area to 13 miles NE of the localizer; within 5 miles SE and 8 miles NW

of the Lexington Blue Grass ILS SW course extending from the Lexington RBN to 12 miles SW of the RBN and within 2 miles each side of the Lexington VORTAC 304° radial extending from the 7-mile radius area to the VORTAC.

That airspace extending upwards from 1,200 feet above the surface beginning at: 38°24'00" N., 85°00'00" W. to 38°20'00" N., 84°30'00" W. to 38°30'00" N., 83°59'00" W. to 38°30'00" N., 83°18'00" W. to 38°00'00" N., 82°55'00" W. to 37°47'00" N., 83°34'00" W. to 37°30'00" N., 83°46'00" W. to 37°24'00" N., 84°00'00" W. to 37°25'00" N., 85°00'00" W. to point of beginning.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on April 19, 1965.

WAYNE HENDERSHOT,
Acting Director,
Eastern Region.

[F.R. Doc. 65-4521; Filed, Apr. 29, 1965; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 64-EA-74]

CONTROL ZONES, TRANSITION AREAS AND CONTROL AREA EXTENSION

Proposed Alteration, Designation, and Revocation

The Federal Aviation Agency is considering amending §§ 71.165, 71.171, and 71.181 of Part 71 of the Federal Aviation Regulations which would alter the Poughkeepsie (29 F.R. 17626) and Newburgh, N.Y. (29 F.R. 17620) control zones, designate 700-foot above ground transition areas over Dutchess County Airport, Poughkeepsie, N.Y., and Stewart AFB, Newburgh, N.Y., designate a 1200-foot above ground Poughkeepsie, N.Y., Transition Area and revoke the Poughkeepsie, N.Y. control area extension (29 F.R. 17574).

The controlled airspace in the aforementioned terminal areas is presently composed of the Poughkeepsie, N.Y., control area extension, and a portion of the Newburgh (29 F.R. 17571) and New York N.Y. (29 F.R. 17572) control area extensions, the Poughkeepsie, N.Y., control zone described as being within a 5-mile radius of Dutchess County Airport and the Newburgh, N.Y., control zone as being within a 5-mile radius of Stewart AFB and within 2 miles either side of the extended centerline of Runway 9 extending from the 5-mile radius zone to 5 miles W of the OM.

The proposed alterations of the Poughkeepsie, N.Y., and Newburgh, N.Y., control zones would provide protection for aircraft executing prescribed instrument approach and departure procedures at the respective airports. The modification of the Poughkeepsie, N.Y., control zone would designate an extension to the northeast to provide protection for aircraft executing the AL-286-VOR-1 instrument approach procedure. The modification of the Newburgh, N.Y., control zone would reduce the length and expand the width of the extension to the west to provide protection for aircraft executing the AL-450-ADF/ILS-Rwy-9 and AL-450-TACAN-1 and 2 instrument approach procedures. A new extension would be designated to the east to provide protection for aircraft executing the AL-450-TACAN-3 and JAL-450-TACAN-2 instrument approach procedures.

The 700- and 1,200-foot transition areas would provide protection for aircraft executing prescribed instrument holding, arrival, departure and radar vectoring procedures in the Newburgh, Poughkeepsie, and Montgomery, N.Y., terminal areas.

The floors of airways which traverse the transition areas proposed herein would coincide with the floors of the transition areas.

Specific details of the changes to procedures and minimum flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data, or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a comprehensive review of the airspace requirements for the terminal areas of Poughkeepsie, Newburgh, and Montgomery, N.Y., attendant to the implementation of the provisions of Civil Air Regulation amendments 60-21 and 60-29 (26 F.R. 570, 27 F.R. 4012), proposes the airspace actions hereinafter set forth:

1. Amend § 71.165 of Part 71 of the Federal Aviation Regulations so as to delete the Poughkeepsie, N.Y., control area extension.

2. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Poughkeepsie, N.Y., control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 41°-37'40" N., 73°53'00" W. of Dutchess County Airport, Poughkeepsie, N.Y., and within 2 miles each side of the Kingston VOR 025° radial extending from the 5-mile radius zone to 6 miles NE of the VOR.

3. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Newburgh, N.Y., control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 41°-30'34" N., 74°05'44" W. of Stewart AFB, Newburgh, N.Y., and within 2 miles south of the Stewart TACAN 253° radial clockwise to 2 miles N of the Stewart TACAN 283° radial extending from the 5-mile radius zone to 7-miles W of the TACAN and within 2 miles each side of the Stewart TACAN 088° radial extending from the 5-mile radius zone to 9 miles E of the TACAN.

4. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700- and 1,200-foot above ground Poughkeepsie, N.Y., transition area described as follows:

POUGHKEEPSIE, N.Y.

That airspace extending upward from 700 feet above the surface within a 700-mile radius of the center, 41°37'40" N., 73°53'00" W. of Dutchess County Airport, Poughkeepsie, N.Y., and within 2 miles each side of the Kingston VOR 025° radial extending from the 7-mile radius area to 8 miles NE of the VOR excluding that portion coinciding with the Newburgh transition area.

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at: 42°02'00" N., 73°16'00" W. to 41°49'00" N., 73°16'00" W. to 41°31'00" N., 73°20'00" W. to 41°31'00" N., 73°54'00" W. to 41°27'00" N., 73°54'00" W. to 41°19'00" N., 73°57'00" W. to 41°19'00" N., 74°33'00" W. to 41°31'00" N., 75°07'00" W. to 42°00'00" N., 75°00'00" W. to point of beginning.

5. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot above ground Newburgh, N.Y., transition area described as follows:

NEWBURGH, N.Y.

That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, 41°30'34" N., 74°05'44" W. of Stewart AFB, Newburgh, N.Y., and within 2 miles S of the Stewart TACAN 253° radial clockwise to 2 miles NE of the Stewart TACAN 328° radial extending from the 12-mile radius area to 16 miles W and NW of the TACAN.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on April 19, 1965.

WAYNE HENDERSHOT,
Acting Director,
Eastern Region.

[F.R. Doc. 65-4522; Filed, Apr. 29, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-SO-3]

VOR FEDERAL AIRWAY

Proposed Realignment

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would redesignate the south alternate segment of VOR Federal airway No. 492 from La Belle, Fla., to West Palm Beach, Fla., via the intersection of the La Belle 112°

and the West Palm Beach 252° True radials.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The airway realignment, proposed above, would facilitate air traffic control within the West Palm Beach terminal area by providing lateral separation between departures and aircraft executing ILS approaches into Palm Beach International Airport. Additionally, the realignment would also provide lateral separation between en route aircraft on V-492S and aircraft within the holding pattern airspace for the Palm Beach County Glades Airport at Pahokee, Fla.

These amendments are proposed under sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on April 23, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-4523; Filed, Apr. 29, 1965; 8:46 a.m.]

[14 CFR Part 73]

[Airspace Docket No. 65-WA-24]

RESTRICTED AREA AND JET ROUTE, FEDERAL AIRWAYS AND CONTROLLED AIRSPACE

Proposed Designation and Alterations

The Federal Aviation Agency is considering amendments to Parts 71, 73, and 75 of the Federal Aviation Regulations that would designate a restricted area at Cudjoe Key, Fla., alter pertinent portions of Blue Federal airway No. 19, VOR Federal airways Nos. 3 and 35, Jet Route No. 53 and Control 1408 to reflect the restricted area designation.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the U.S. is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in the notice may be changed in the light of comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments.

The U.S. Air Force has requested the designation of a circular restricted area 4 statute miles in diameter, centered at latitude 24°42'01" N., longitude 81°30'-30" W., and extending from the surface to 14,000 feet m.s.l. The area would be used as a research station by the U.S. Air Force Cambridge Research Laboratory to collect scientific data at several altitude levels on the persistence of winds, trade wind inversion and variation of humidity with altitude. The data would be obtained by specialized instrumentation weighing 250 pounds suspended from a tethered balloon approximately 40 feet in diameter and 120 feet long. The Air Force stated that due to the type and frequency of observations the required data cannot be obtained by other means.

The balloon would be moored by a line constructed of wire rope ⅜ to ½ inch in diameter or equivalent size cable of other material. It would be constructed of latex coated nylon or dacron and inflated with helium. In the event a balloon escapes its mooring, a rapid deflation device would be activated and the cable separated. A conspicuously colored parachute would then descend the payload and cable. In compliance with FAR Part 101, a communications link would be established with the nearest FAA facility to insure the rapid dissemination of a NOTAM. The position of the balloon would be monitored and contained within the requested restricted area.

The proponent further stated that the location selected is of utmost importance to the success of the study since it is near to the southernmost latitude of the conterminous United States. Also, since the Florida Keys experience a greater frequency of hurricanes than any other U.S. coastal area, the scientific data continuously obtained during the hurricane season is expected to provide invaluable information on their characteristics and movement.

The proposed restricted area would coincide with a portion of Control 1408, Blue Airway 19 and Victor Airways 3 and 35. Action would be taken in the rule to amend the description of Control 1408 to exclude the airspace within the restricted area and to realign the airways to preclude the application of restrictions to en route traffic. Although J-53 would not be affected by the proposed restricted area, action would be taken in the rule to realign the route to provide a direct course between Key West and Miami. Controlled airspace would be provided by listing the jet route segment under § 71.161. The jet advisory area now associated with this segment of J-53 would automatically align with the proposed route realignment. Concurrent nonrule-making action would be taken to alter the southeast boundary of Warning Area 173 to abut the realigned route.

If the above proposals are adopted, airspace actions would be taken as hereinafter set forth.

1. The Cudjoe Key, Fla., restricted area would be designated as follows:

Boundaries. A circular area 4 statute miles in diameter, centered at latitude 24°42'01" N., longitude 81°30'30" W.

Designated altitudes. Surface to 14,000 feet m.s.l.

Time of designation. Continuous.

Using agency. U.S. Air Force Cambridge Research Laboratory, Office of Aerospace Research, U.S. Air Force, L. G. Hanscom Field, Bedford, Mass.

2. Blue Federal airway No. 19 would be realigned, in part, from the Key West, Fla., radio beacon to the Perrine, Fla., radio beacon, via the intersection of the Key West 039° and the Perrine 232° True bearings.

3. VOR Federal airway No. 3 would be realigned, in part, from Key West to Miami, Fla., via the intersection of the Key West 085° and the Miami 205° True radials.

4. VOR Federal airway No. 35 would be realigned, in part, from Key West to Miami; via the intersection of the Key West 085° and the Bimini, Bahamas, 216° True radials; intersection of the Bimini 216° and the Miami 153° True radials; excluding the airspace below 2,000 feet m.s.l. outside the United States.

5. Jet Route No. 53 would be realigned from Key West direct to Miami and listed under § 71.161.

6. Control 1408 would be altered to exclude the proposed restricted area.

These amendments are proposed under section 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on April 27, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-4587; Filed, Apr. 29, 1965; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 11279; FCC 65M-513]

SUBSCRIPTION TELEVISION SERVICE

Order Extending Time for Filing Responses to Joint Petition for Further Rule Making

On March 10, 1965, Zenith Radio Corp. and Teco, Inc., participants in the Hartford trial subscription television operation, filed a joint petition for further rule making in this proceeding which has been pending since issuance of the Third Report herein on March 24, 1959 (26 F.C.C. 265). Under § 1.405 of the rules, the time for filing statements responsive to the petition would normally be April 26, 1965.

The Joint Committee on Toll TV and the International Telemeter Corp. filed petitions asking, respectively, for extensions of 60 and 30 days in which to file responsive statements. We believe that an extension of 30 days should be granted.

Accordingly, on this 23d day of April 1965: *It is ordered*, That the time in which to file statements responsive to the "Joint Petition of Zenith Radio Corp. and Teco, Inc., for Further Rule Making to Authorize Nation-Wide Subscription Television" is extended from April 26, 1965, to and including May 26, 1965, and the time for filing replies is extended from May 11, 1965, to and including June 10, 1965.

It is further ordered, That the "Petition for Extension of Time Within Which to File Statements in Support of or in Opposition to Petition for Rule Making" filed by International Telemeter Corp. on April 21, 1965, is granted; and that the "Petition for Extension of Time in Which to Respond to Joint Petition for Further Rule-Making" filed by Joint Committee on Toll TV on April 8, 1965, is granted insofar as it is consistent with the action taken herein, and in other respects is denied.

It is further ordered, That although for purposes of issuing a public notice of the filing of the Zenith-Teco joint petition a rule making number, RM-748, was assigned to the petition, the matters dealt with in that petition are clearly a continuation of the proceeding in Docket No. 11279, and the petition and related pleadings will henceforth be a part of that docket.

Released: April 27, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4559; Filed, Apr. 29, 1965; 8:49 a.m.]

[1] By the Subscription Television Committee.

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[Antidumping—AA 643.3–m]

STEEL JACKS FROM CANADA

Antidumping Proceeding Notice

APRIL 23, 1965.

On April 13, 1965, the Commissioner of Customs received information in proper form pursuant to the provisions of § 14.6(b) of the Customs Regulations indicating a possibility that steel jacks imported from Canada, manufactured by J. C. Hallman Manufacturing Co., Ltd., Waterloo, Ontario, Canada, are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Ordinarily, merchandise is considered to be sold at less than fair value when the net, f.o.b. factory price for exportation to the United States is less than the net, f.o.b. factory price to purchasers in the home market, or, where appropriate, to purchasers in other countries, after due allowance is made for differences in quantity and circumstances of sale.

A summary of the information received is as follows:

The net price for export to the United States furnished by the complainant and verified from Customs records is substantially lower than the net price for home consumption in Canada that was provided by the complainant and disclosed in the invoice information.

In order to establish the validity of the information, the Bureau of Customs is instituting an inquiry pursuant to the provisions of § 14.6(d) (1) (ii), (2), and (3) of the Customs Regulations.

The information was submitted by the Harrah Manufacturing Company, Bloomfield, Ind.

This notice is published pursuant to § 14.6(d) (1) (i) of the Customs Regulations (19 CFR 14.6(d) (1) (i)).

[SEAL] LESTER D. JOHNSON,
Acting Commissioner of Customs.

[F.R. Doc. 65–4530; Filed, Apr. 29, 1965; 8:47 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

BUREAU INTERNATIONAL DE L'EDITION MECANIQUE ET AL.

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Bureau International de l'Edition Mecanique (BIEM), Paris, France, on behalf of the following members of GEMA:

Heinrich Strecker, Marchetstrasse 76, Baden bei Wien, Austria; $196.56 in the Treasury of the United States.

Heinrich Strecker, Verlag, Lerchenfeldstrasse 32, Vienna 7, Austria; $393.50 in the Treasury of the United States.

Mischa Michaeloff, Marathonallee 20, (1) Berlin 19, Germany; $22.31 in the Treasury of the United States.

Conseil de Curatelle pour l'Encouragement des Compositeurs et Musiciens Russes, 30 bis rue Bergère, Paris 9, France; $25.29 in the Treasury of the United States.

Frederick Willner, The White House, Shippon, Abingdon, Berkshire, England; $8.08 in the Treasury of the United States.

Peter Paul Willner, "Brincadeira" Castle, Portchester, Hants Hampshire, England; $8.08 in the Treasury of the United States.

Dr. Herbert Hofstättner, Löwelstrasse 8, Vienna I, Austria; $8.08 in the Treasury of the United States.

Dipl. Ing. Klaus Orel, Niepetye Cad 22, Istanbul-Etiler, Turkey; $8.08 in the Treasury of the United States.

Aloisia Isbary, nee Klepsch-Kloth, Vienna, Austria; $32.32 in the Treasury of the United States.

Dr. Eduard Meyer-Jodas, Ungargasse 12, Vienna III, Austria; Claim No. 41887; Vesting Order No. 2095; $64.64 in the Treasury of the United States.

Executed at Washington, D.C., on April 21, 1965.

For the Attorney General.

[SEAL] ANTHONY L. MONDELLO,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 65–4511; Filed, Apr. 29, 1965; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 20, 1965.

The Bureau of Land Management, Department of the Interior, has filed an application, Serial Number R 06638, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, subject, however, to existing withdrawals and to valid existing rights.

The applicant desires the land for the protection of Indian Petroglyphs and related artifacts.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 Eighth Street, Box 723, Riverside, Calif., 92502.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The determination of the Secretary of the Interior on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SAN BERNARDINO MERIDIAN, CALIF.

T. 7 N., R. 3 E.,
Sec. 3, lots 1, 2, 3, 4, S½N½.
T. 7 N., R. 4 E.,
Sec. 18, E½;
Sec. 30, E½.

The areas described aggregate 981.16 acres.

HALL H. MCCLAIN,
Manager.

[F.R. Doc. 65–4524; Filed, Apr. 29, 1965; 8:46 a.m.]

ADMINISTRATIVE ASSISTANT, FORT VANNOY, OREGON JOB CORPS CONSERVATION CENTER

Delegation of Authority Regarding Contracts and Leases

Bureau Order No. 698, as amended (30 F.R. 1879), delegates to the Directors, Job Corps Conservation Centers the authority to issue orders for equipment, supplies, and services, within certain limitations. Section 2 of the cited Bureau Order further authorizes the Directors, Job Corps Conservation Centers to redelegate these authorities to designated qualified employees. The authorities of the Director, Job Corps Conservation Center at Fort Vannoy, Oreg., are hereby redelegated to the Administrative Assistant in the Fort Vannoy, Oreg., Job Corps Conservation Center.

The above delegation shall become effective upon publication in the FEDERAL REGISTER.

JAMES H. STOOP,
Center Director.

[F.R. Doc. 65–4543; Filed, Apr. 29, 1965; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

REVOCATION OF DESIGNATION AND DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by the Secretary of Agriculture (29 F.R. 16210), and paragraph (d) of § 718.10 of the regulations for the determination of acreage and compliance (30 F.R. 1281), the designation of and delegation of authority to Thomas M. Gachet, an employee of the Department of Agriculture, published in the FEDERAL REGISTER of February 6, 1965 (30 F.R. 1323), to exercise the function of approving determinations by county committees for counties in the State of Arkansas under paragraph (b) of § 718.10 of the regulations for the determination of acreage and compliance (28 F.R. 8117, as amended), is hereby revoked effective upon filing of this notice with the Director, Office of the Federal Register.

Signed at Washington, D.C., on April 28, 1965.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-4588; Filed, Apr. 28, 1965; 1:55 p.m.]

Consumer and Marketing Service

HESTER STOCK YARD ET AL.

Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

Original name of stockyard, location, and date of posting	*Current name of stockyard and date of change in name*
ALABAMA	
Hester Stock Yard, Russellville, Aug. 25, 1959.	White Livestock Commission Co., Inc., Feb. 2, 1965.
IOWA	
Humboldt Livestock Auction, Inc., Humboldt, Mar. 12, 1957.	Humboldt Cornbelt Livestock Exchange, Inc., Apr. 1, 1965.
KANSAS	
Newton Livestock Auction Market, Inc., Newton, Dec. 9, 1959.	Newton Livestock & Commission Co., Inc., Jan. 6, 1964.
Salina Livestock Commission Co., Salina, Jan. 21, 1936.	Salina Livestock Commission Co., Inc., Jan. 1, 1965.
MISSOURI	
Neosho Auction Sales, Inc., Neosho, June 4, 1959.	Neosho Livestock Auction, Mar. 15, 1965.
NEBRASKA	
Blue Hill Sales Co., Blue Hill, Dec. 16, 1955	Blue Hill Livestock Co., Inc., Feb. 1, 1965.
NORTH CAROLINA	
Kings Livestock Auction Market, Murphy, Apr. 10, 1959.	Murphy Livestock Auction, Jan. 1, 1965.
OKLAHOMA	
Covington Commission Sales Co., Covington, Apr. 28, 1959.	Covington Commission Sales Co., Feb. 7, 1965.
OREGON	
Vale Livestock Auction Co., Vale, Oct. 12, 1959	Vale Livestock Auction, Sept. 16, 1964.
SOUTH DAKOTA	
De Smet Livestock Sales, De Smet, May 25, 1959.	De Smet Livestock Exchange, Mar. 1, 1965.
Gettysburg Livestock Sales Co., Gettysburg, June 26, 1956.	Gettysburg Livestock Sales Co., Inc., Dec. 30, 1964.
TENNESSEE	
Bryan Bros. Livestock Market, Decherd, Sept. 30, 1959.	Farmers Auction Co., Jan. 1, 1965.
TEXAS	
Olney Livestock Auction, Olney, Nov. 14, 1956	Olney Livestock Auction, Inc., Jan. 11, 1965.
Tyler Livestock Auction, Tyler, Jan. 11, 1957	Tyler Livestock Commission Co., July 8, 1964.
Vernon Stockyards Co., Vernon, May 22, 1950	Vernon Stockyards Co., Inc., Dec. 14, 1964.
WASHINGTON	
Stockland Union Stockyards, Spokane, Nov. 1, 1921.	Stockland Union Stockyards, Inc., Jan. 1, 1965.

Done at Washington, D.C., this 26th day of April 1965.

K. A. POTTER,
Acting Chief, Rates and Registrations Branch, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 65-4527; Filed, Apr. 29, 1965; 8:46 a.m.]

Office of the Secretary

NORTH DAKOTA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of North Dakota a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

NORTH DAKOTA

Barnes. Walsh.
Grand Forks.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1965, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 27th day of April 1965.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 65-4568; Filed, Apr. 29, 1965; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

E. I. DU PONT DE NEMOURS & CO.

Notice of Filing of Petition Regarding Food Additive Chloropentafluoroethane

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5A1734) has been filed by E. I. du Pont de Nemours & Company, 1007 Market Street, Wilmington, Delaware, 19898, proposing the issuance of a regulation to provide for the safe use of chloropentafluoroethane as a propellant and aerating agent for sprayed or foamed foods.

Dated: April 23, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-4552; Filed, Apr. 29, 1965; 8:49 a.m.]

MERCK, SHARP & DOHME RESEARCH LABORATORIES

Notice of Filing of Petition for Food Additive Thiabendazole

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348

(b)(5)), notice is given that a petition (FAP 5D1719) has been filed by Merck, Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J., 07065, proposing an amendment to § 121.260 *Thiabendazole* to provide for the safe use of thiabendazole in sheep and goat feed, as follows:

Principal ingredient	Amount	Combined with—	Amount	Limitations	Indications for use
Thiabendazole	2 gm. per 100-lb. body weight.			For sheep and goats: 2 gm. per 100-lb. body weight at a single dose; do not treat animals within 30 days of slaughter; milk taken from treated animals within 96 hours (8 milkings) after the latest treatment must not be used for food.	Treatment of infestations of gastrointestinal round worms (genera *Trichostrongylus, spp., Haemonchus, spp., Ostertagia, spp., Cooperia, spp., Nematodirus, spp., Bunostomum, spp., Strongyloides, spp., Chabertia, spp.,* and *Oesophagostomum, spp.*).
Thiabendazole	3 gm. per 100-lb. body weight.			For goats: 3 gm. per 100-lb. body weight at a single dose; do not treat animals within 30 days of slaughter; milk taken from treated animals within 96 hours (8 milkings) after the latest treatment must not be used for food.	Treatment of severe infestations of gastrointestinal round worms (genera *Trichostrongylus, spp., Haemonchus, spp., Ostertagia, spp., Cooperia, spp., Nematodirus, spp., Bunostomum, spp., Strongyloides, spp., Chabertia, spp.,* and *Oesophagostomum, spp.*).

Dated: April 23, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-4553; Filed, Apr. 29, 1965; 8:49 a.m.]

SHELL CHEMICAL CO.

Notice of Filing of Petition for Food Additives Antioxidants and/or Stabilizers for Polymers

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 5B1724) has been filed by Shell Chemical Co., A Division of Shell Oil Co., Inc., 110 West 51st Street, New York 20, N.Y., proposing an amendment to § 121.2566 *Antioxidants and/or stabilizers for polymers* to increase from 0.5 percent to 1.0 percent the maximum usage level of 1,3,5-trimethyl-2,4,6 - tris(3,5 - di - *tert*-butyl-4-hydroxybenzyl) benzene when used in polyamide resins identified in § 121.2502.

Dated: April 26, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-4554; Filed, Apr. 29, 1965; 8:49 a.m.]

SYNCRO-MIST CONTROLS, INC.

Notice of Withdrawal of Petition for Food Additives Piperonyl Butoxide-Pyrethrin Mixtures

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Syncro-Mist Controls, Inc., 270 Madison Avenue, New York, N.Y., has withdrawn its petition (FAP 342) published in the FEDERAL REGISTER of May 16, 1961 (26 F.R. 4211), proposing the issuance of a regulation to provide for the safe use of piperonyl butoxide-pyrethrin mixtures as pesticides in food-handling establishments.

The withdrawal of this petition is without prejudice to a future filing.

Dated: April 26, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 65-4555; Filed, Apr. 29, 1965; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

WILLIAM M. FIRSHING

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months:

A. Deletions:

National Tea.
Excello Corp.
General Development.
Westinghouse Electric.
Food Giant Market.
Schenley Industries.

B. Additions:

General Refractories.
Burrougha Corp.
Atlas Consolidated Mining.

This statement is made as of April 6, 1965.

WILLIAM M. FIRSHING.

APRIL 6, 1965.

[F.R. Doc. 65-4498; Filed, Apr. 29, 1965; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 15923]

WESTBOUND SPECIFIC COMMODITY RATES

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on May 26, 1965, at 10 a.m. (eastern daylight saving time) in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on April 15, 1965, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., April 26, 1965.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 65-4569; Filed, Apr. 29, 1965; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 15957; FCC 65M-495]

RALPH HICKS AND SOUTHWESTERN BELL TELEPHONE CO.

Order Scheduling Hearing

In the matter of Ralph Hicks, Complainant, v. Southwestern Bell Telephone Co., Defendant; Docket No. 15957.

It is ordered, This 22d day of April 1965, that Jay A. Kyle shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10 a.m. on June 2, 1965; and that a prehearing conference shall be convened at 9 a.m. on May 20, 1965: *And it is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: April 22, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4560; Filed, Apr. 29, 1965; 8:49 a.m.]

[Docket Nos. 15812; 15813; FCC 65M-518]

NEBRASKA RURAL RADIO ASSOCIATION (KRVN) AND TOWN & FARM CO., INC. (KMMJ)

Order Regarding Procedural Dates

In re applications of Nebraska Rural Radio Association (KRVN), Lexington, Nebr., Docket No. 15812, File No. BP-15348; Town & Farm Co., Inc. (KMMJ), Grand Island, Nebr., Docket No. 15813,

File No. BP-15354; for construction permits.

At the further prehearing conference held on April 15, 1965, the following time schedule was agreed to:

a. Applicants will exchange a preliminary or rough draft of their engineering showings on or before the close of business on Wednesday, May 12, 1965.

b. An informal engineering conference under the supervision of the Commission's engineer will be held on or before the close of business on Friday, May 21, 1965, if in the opinion of the Commission engineer such conference is necessary or desirable.

c. The final engineering exhibits which each applicant proposes to introduce in evidence will be exchanged with other parties on or before the close of business on Friday, May 28, 1965.

d. Lay exhibits in support of the affirmative showing of each applicant, in response to the 307(b) issue, will be exchanged with the parties on or before the close of business on Friday, May 28, 1965.

e. Any party desiring to cross-examine an adverse witness will notify opposing counsel of the name of the witness desired for cross-examination and the subject matter to be explored by such cross-examination. Such notification of witnesses is to be given on or before the close of business on Monday, June 7, 1965.

f. The evidentiary hearing will begin on Monday, June 14, 1965, in the offices of the Commission, Washington, D.C.

Matters to be reflected in the engineering showing of each applicant should be considered by the parties prior to the preparation and exchange of the final engineering exhibits. Among the matters to be considered should be:

a. The location of the presently existing interfering signal of Station XERCN, Mexico City, in the direction of Station KFAB as well as where the interfering signal from Station XERCN could fall if said station operates in a manner presently permitted under the United States-Mexican agreement. (See TR 57-60.)

b. Details which the Columbia Broadcasting System, Inc., licensee of Station WCBS, New York, New York, and KJSK, Inc., licensee of Station KJSK, Columbus, Nebr., have requested each applicant to consider relating to the actual construction and operation of its proposed station, materials to be used, ability to adjust and keep the antenna tuned during periods of heavy precipitation, heavy snowfall, temperature fluctuations, or any other matter which may affect the ability of either applicant to adjust and maintain its directional array throughout the year.

It is so ordered, This the 23d day of April 1965.

Released: April 27, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4561; Filed, Apr. 29, 1965; 8:49 a.m.]

[Dockets Nos. 15944-15946; FCC 65M-514]

OCEAN COUNTY RADIO BROADCASTING CO. ET AL.

Order Scheduling Hearing

In re applications of Ocean County Radio Broadcasting Co., Toms River, N.J., Docket No. 15944, File No. BPH-4078; Seashore Broadcasting Corp., Toms River, N.J., Docket No. 15945, File No. BPH-4632; Beach Broadcasting Corp., Toms River, N.J., Docket No. 15946, File No. BPH-4638; for construction permits.

It is ordered, This 26th day of April 1965, that Forest L. McClenning shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10 a.m. on June 28, 1965; and that a prehearing conference shall be convened at 9 a.m. on May 25, 1965: *And it is further ordered,* That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: April 26, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4562; Filed, Apr. 29, 1965; 8:49 a.m.]

[Docket Nos. 15965, 15966; FCC 65M-515]

PARISH BROADCASTING CO. AND CLINTON BROADCASTING CO.

Order Scheduling Hearing

In re applications of James A. Gatewood trading as Parish Broadcasting Co., Franklinton, La., Docket No. 15965, File No. BP-16360; William E. Hardy and James E. Myers doing business as Clinton Broadcasting Co., Clinton, Miss., Docket No. 15966, File No. BP-16425; for construction permits.

It is ordered, This 26th day of April 1965, that Chester F. Naumowicz, Jr., shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10 a.m. on June 16, 1965; and that a prehearing conference shall be convened at 9 a.m. on May 26, 1965: *And it is further ordered,* That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: April 26, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4563; Filed, Apr. 29, 1965; 8:50 a.m.]

[Docket Nos. 15868, 15869; FCC 65M-517]

WFLI, INC. (WFLI), AND NEWHOUSE BROADCASTING CORP. (WAPI)

Order Continuing Hearing

In re applications of WFLI, Inc. (WFLI), Lookout Mountain, Tenn., Docket No. 15868, File No. BMP-8439; Newhouse Broadcasting Corp. (WAPI), Birmingham, Ala., Docket No. 15869, File No. BP-15259; for construction permits.

The Hearing Examiner having under consideration an oral stipulation with respect to the date for commencement of hearing;

It appearing, that the hearing is now scheduled to commence on May 3, 1965; and

It further appearing that an informal conference was held on April 23, at which there was discussion of certain engineering and other problems which will necessitate a change of the foregoing date and that the parties, together with the Hearing Examiner, agreed upon commencing the hearing on June 29, 1965.

It is ordered, This 23d day of April 1965, that the date for commencement of hearing is changed from May 3 to June 29, 1965.

Released: April 27, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4564; Filed, Apr. 29, 1965; 8:50 a.m.]

[Docket Nos. 15967, 15968; FCC 65M-516]

WAYNESBORO BROADCASTING CORP. & MUSIC PRODUCTIONS, INC.

Order Scheduling Hearing

In re applications of Waynesboro Broadcasting Corp., Waynesboro, Va., Docket No. 15967, File No. BPH-4533; Music Productions, Inc., Waynesboro, Va., Docket No. 15968, File No. BPH-4613; for construction permits.

It is ordered, This 26th day of April 1965, that Elizabeth C. Smith shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10 a.m. on June 11, 1965; and that a prehearing conference shall be convened at 9 a.m. on May 25, 1965: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: April 26, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-4565; Filed, Apr. 29, 1965; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP65-330]

COLORADO INTERSTATE GAS CO.

Notice of Application

APRIL 23, 1965.

Take notice that on April 19, 1965, Colorado Interstate Gas Co. (Applicant), Post Office Box 1087, Colorado Springs,

Colo., 80901, filed in Docket No. CP65–330 an application pursuant to section 7 (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for processing to Alamo Chemical Co. (Alamo) and the construction and operation of valve and tap facilities required to make the delivery to Alamo, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant requests authority to construct tap and valve facilities near its Morton County compressor station in Kansas and to deliver its Greenwood-Sparks area gas to Alamo for processing. Alamo would in turn process the gas for the extraction of helium and liquid hydrocarbons and would return the gas to Applicant.

Alamo's plant would be designed to process 76,000 Mcf of gas per day. Applicant anticipates that the volumes sold to Alamo as gas shrinkage and gas used in the plant would average 7,100 Mcf per day on an annual basis. Alamo has agreed to redeliver gas to Applicant of at least the same average heating value as that delivered by Applicant to Alamo for processing. Alamo has agreed to redeliver the gas at a pressure not less than that received by it. Applicant states that there is no effect on the transmission system capacity available for service to its existing customers. Due to the alleged inherent unknowns of gas to be processed and sold. Applicant requests that the authority not be limited to a specific volume to be processed or delivered.

Applicant estimates the cost of facilities to be constructed by it to deliver and receive the gas to be $22,770. Applicant will also require minor changes to its gathering system in order to deliver the gas to Alamo for processing. The cost of the proposed alterations is $181,930. All financing is to be from current working funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 20, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, and the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65–4544; Filed, Apr. 29, 1965; 8:48 a.m.]

[Docket No. CP65–332]

NORTHERN NATURAL GAS CO.

Notice of Application

APRIL 23, 1965.

Take notice that on April 19, 1965, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha 1, Nebr., filed in Docket No. CP65–332 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity requesting authority to construct and operate a pipeline tap in Gaines County, Tex., on its 26-inch pipeline which extends from its Hobbs Compressor Station in Lea County, N. Mex., to its Plains Measuring Station in Yoakum County, Tex., and to deliver and sell natural gas to Ancell Gas Company, Inc. (Ancell) for resale as irrigation pump fuel, all as more fully described in the application on file with the Commission and open to public inspection.

Applicant proposes to sell up to 1,170 Mcf of gas per day to Ancell at an initial rate of 23 cents per Mcf. Annual volumes are estimated to be 143,100 Mcf in the third year of service.

The cost of the pipeline tap is estimated to be $260, of which $150 is to be contributed by Ancell. Ancell will construct and operate the necessary measuring and regulating facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (157.10) on or before May 22, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, and the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65–4545; Filed, Apr. 29, 1965; 8:48 a.m.]

[Docket No. CP65–196]

NORTHERN NATURAL GAS CO.

Further Notice of Application

APRIL 23, 1965.

On January 8, 1965, the Commission issued a notice of the application filed by Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha 2, Nebr., on December 31, 1964. The application was amended April 19, 1965. The application, as amended, is on file with the Commission and open to public inspection.

Said notice stated that Applicant sought a certificate of public convenience and necessity authorizing the construction and operation of facilities estimated to cost $19,983,500, for the purpose of initiating natural gas service to 127 communities in the States of Iowa, Minnesota, Nebraska, and Wisconsin, commencing with the 1966–67 heating season.

By the amendment filed on April 19, 1965, Applicant eliminates its request for authorization to construct and operate facilities to render initial natural gas service to the communities of Dane and Lodi, Wis., and Bennington, Nebr.

Applicant now requests authority to construct and operate facilities to deliver natural gas to its Peoples Natural Gas Division (Peoples) for initial distribution of gas in the communities of Onawa and Vincent, Iowa, to Iowa Public Service Co. for distribution in Salix, Sloan, and Whiting, Iowa, and to North Central Public Service Co. for distribution in Annandale and Maple Lake, Minn. The application, as amended, proposes service to 131 communities to begin in the 1966–67 heating season.

Applicant further requests authority to deliver, through Peoples, 120 Mcf per day on a firm basis to an existing interruptible customer, Meinerz Creamery, Fredericksburg, Iowa.

The estimated annual and peak day requirements for the initial three year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	9,035,034	11,231,129	12,346,384
Peak day (Mcf)	27,360	39,620	48,227

The cost of construction of the facilities sought in the application, as amended, is $19,307,000, which will be financed from the sale of sinking fund debentures and funds derived from internal sources.

In view of this change, protests or petitions to intervene may be filed herein, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 20, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65–4546; Filed, Apr. 29, 1965; 8:48 a.m.]

[Docket No. E-7218]

SOUTH PENN POWER CO.

Notice of Application

APRIL 23, 1965.

Take notice that on April 14, 1965, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by South Penn Power Co. (South Penn), seeking an order authorizing the acquisition of a portion of the electric distribution system of Stoufferstown Electric Co. (Stoufferstown).

South Penn is incorporated under the laws of the Commonwealth of Pennsylvania and is qualified to do business only in Pennsylvania and has its principal business office at Waynesboro, Pa. It is engaged as a public utility in the business of furnishing electric service in the Counties of Adams, Bedford, Franklin, Fulton, and Somerset. It owns and operates facilities for the transmission in Pennsylvania of electric energy delivered to it at the Maryland border by its parent company, the Potomac Edison Co.

Stoufferstown is incorporated under the laws of the Commonwealth of Pennsylvania and is qualified to do business only in Pennsylvania and has its principal business office at Chambersburg, Pa. It is engaged as a public utility in the business of furnishing electric service in Franklin County.

According to the application, South Penn proposes to acquire a portion of Stoufferstown's distribution system, pursuant to the terms and provisions of an agreement between South Penn and Stoufferstown, dated March 1, 1965. The facilities to be acquired by South Penn are electric distribution facilities which are presently used and will continue to be used in local distribution of electric energy in a small portion of Guilford Township, Franklin County, Pa. The facilities to be acquired constitute approximately one-half of the utility plant owned by Stoufferstown. According to the application, South Penn has agreed to pay $80,000 for these facilities, subject to adjustment for any changes between October 1, 1964, and the closing date. South Penn states that upon completion of the proposed acquisition customers presently served by Stoufferstown from the facilities proposed to be acquired will be served by South Penn and Stoufferstown's purchasers of electric energy from the Borough of Chambersburg to serve these customers will be discontinued.

According to the application, the proposed acquisition will be consistent with the public interest because the majority of the consumers affected would pay lower rates for electric service while no customer's electric rates would be increased and the customers affected will receive improved and more reliable service because of South Penn's size and interconnections with affiliated and nonaffiliated companies.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 12, 1965, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-4547; Filed, Apr. 29, 1965; 8:48 a.m.]

[Docket No. RI65-594 Etc.]

H. H. HOWELL ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

APRIL 23, 1965.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37 (f)) on or before June 2, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI65-594	H. H. Howell (Operator), et al., 604 Milam Bldg., San Antonio, Tex.	4	3	United Gas Pipe Line Co. (Gabrysch Field Area, Jackson County, Tex.) (R.R. District No. 2).	$3,038	4-1-65	[2] 5-2-65	10-2-65	15.1920	[3] [4] 16.2048	
RI65-595	Skelly Oil Co., Post Office Box 1650, Tulsa, Okla.	10	11	Tennessee Gas Transmission Co. (Bay City Field, Matagorda County, Tex.) (R.R. District No. 3).	49,415	4-2-65	[2] 5-3-65	10-3-65	[5] [7] 14.6	[3] [4] 15.6	
	Skelly Oil Co.	11	10	Tennessee Gas Transmission Co. (East Bay City, Matagorda County, Tex.) (R.R. District No. 3).	47,120	4-5-65	[2] 5-6-65	10-6-65	[6] [7] 14.6	[3] [4] 15.6	

[1] The stated effective date is the 1st day after expiration of the required statutory notice.
[2] Periodic rate increase.
[3] Pressure base is 14.65 p.s.i.a.
[4] The stated effective date is the effective requested by Respondent.
[5] Settlement rate approved by Commission order issued Nov. 13, 1961, in Docket No. RI61-500.
[6] Settlement rate approved subsequent to issuance of second amendment to statement of General Policy No. 61-1.
[7] Settlement rate approved by Commission order issued June 16, 1961, in Docket No. RI61-501.

H. H. Howell (Operator), et al. (Howell), requests that their proposed rate increase be permitted to become effective as of April 30, 1965. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Howell's rate filing and such request is denied.

All of the proposed increased rates and charges exceed the applicable area price level for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Pt. 2, § 2.56).

[F.R. Doc. 65-4548; Filed, Apr. 29, 1965; 8:48 a.m.]

---

[1] Does not consolidate for hearing or dispose of the several matters herein.

[Docket No. RI65-597]

THOMAS G. WAINWRIGHT

Order Providing for Hearing on and Suspension of Proposed Change in Rate

APRIL 23, 1965.

Respondent named herein has filed a proposed change in rate and charge of a

currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 9, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
R65-397...	Thomas G. Wainwright, 325 Walnut Dr., Nashville, Tenn.	1	5	United Fuel Gas Co. (Meade Branch Field, Lawrence County, Ky.).	$12,000	3-25-65	[1] 4-25-65	[2] 4-26-65	16.0	[3] [4] 22.0[5]	

[1] The stated effective date is the effective date requested by respondent.
[2] The suspension period is limited to 1 day.
[3] Renegotiated rate increase.
[4] Pressure base is 15.325 p.s.i.a.
[5] Includes 4.0 cents per Mcf reimbursement for transportation and compression.

[F.R. Doc. 65-4549; Filed, Apr. 29, 1965; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4271]

COLUMBIA GAS SYSTEM, INC.

Notice of Proposed Acquisition of Shares of Common Stock of a Nonassociate Public-Utility Company

APRIL 26, 1965.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), 120 East 41st Street, New York, New York, 10017, a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 (a), 7, 9, 10, and 12 of the Act as applicable to the proposed transactions. All interested persons are referred to the application-declaration, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

Columbia proposes to acquire, from 43 holders thereof, all of the common stock of Blue Ridge Gas Co. ("Blue Ridge"), a nonassociate gas utility company, organized and doing business in Virginia. Said common stock, consisting of 300,000 shares, $2.50 par value, is to be exchanged for 30,000 shares of Columbia's authorized but unissued $10 par value common stock.

The certificated area of Blue Ridge comprises all of Rockingham County, Va., and that portion of the town of Grottoes situated in Augusta County, Va. This service area is adjacent to that of Columbia's subsidiary company, Virginia Gas Distribution Corp., and is situated near the lines of Atlantic Seaboard Corp. ("Seaboard"), a natural gas transmission company and also a subsidiary company of Columbia. Blue Ridge purchases its entire supply of natural gas from Seaboard.

The gross property, plant, and equipment of Blue Ridge, at December 31, 1964, was recorded at original cost in the amount of $1,757,431, with a related reserve for depreciation and amortization of $120,980. As of the same date, current assets, after minor adjustments, aggregated $193,169; current liabilities, including $380,000 notes payable, totaled $643,059; and long-term debt aggregated $950,000, consisting of $700,000 principal amount of 6 percent First Mortgage Bonds, due 1986 (noncallable before 1974), $175,000 principal amount of 6 percent notes, due 1977 (noncallable before 1972), and $75,000 principal amount of noncallable 6 percent convertible notes. By agreement entered into on March 26, 1965, with the sole institutional holder thereof, such long-term debt securities may be prepaid during 1965 upon the payment of principal, accrued interest, and a 6 percent premium aggregating $57,000. Columbia proposes to provide Blue Ridge with funds sufficient to redeem these long-term debt securities, such proposal to be the subject of a subsequent filing with this Commission.

The filing states that Blue Ridge has, in the past several years, expended considerable money in converting its existing gas distribution system to natural gas, and in enlarging its system, and has not yet fully realized the economic benefits expected ultimately to be derived from these expenditures. The company's gas operating revenues were $58,785 in 1962; $114,891 in 1963; and $329,528 in 1964. In the latter year, Blue Ridge reported a gross income deficit (before interest charges) of $57,812. For the years 1965, 1966, 1967, and 1968, Blue Ridge has projected its gas operating revenues at $629,000, $744,000, $836,000, and $918,000, respectively.

At December 31, 1964, the Blue Ridge common stock had a net worth, per books, of $292,343, reflecting a deficit in earned surplus of $483,657. Columbia proposes to record the investment in the Blue Ridge common stock at the underlying book value thereof at the date of closing, and to charge its earned surplus account with the excess of the aggregate $300,000 par value of its common shares to be issued over such underlying book value.

The application-declaration states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions. A statement of fees and expenses is to be filed by amendment.

In view of the Commission's reservation of jurisdiction as to the status of Seaboard in relation to the integration requirements of section 11(b)(1) of the Act (17 S.E.C. 494 (1944)), Columbia has agreed and stipulated that (1) if the Commission authorizes the proposed acquisition of Blue Ridge by Columbia, the Commission's reservation of jurisdiction will be considered to extend also to Columbia's retainability of Blue Ridge (or its properties) and neither it nor Blue Ridge will, in any prior or subsequent section 11(b)(1) proceeding instituted by the Commission, take any position or make any argument to the effect that the Commission will have prejudiced its jurisdiction, power, or authority to order the divestment of any interest in Blue Ridge (or its properties), and (2) Columbia consents to the inclusion in the Commission's order herein of a reservation of full jurisdiction, power, and authority under section 11(b)(1) of the Act.

Notice is further given that any interested person may, not later than May 21, 1965, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 65-4532; Filed, Apr. 29, 1965; 8:47 a.m.]

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

APRIL 26, 1965.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976, being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to Sections 15 (c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 27, 1965, through May 6, 1965, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 65-4533; Filed, Apr. 29, 1965; 8:47 a.m.]

TARIFF COMMISSION

[AA1921-45]

AZOBISFORMAMIDE FROM JAPAN

Determination of Injury

APRIL 27, 1965.

On January 27, 1965, the Tariff Commission was advised by the Assistant Secretary of the Treasury that azobisformamide from Japan is being, or is likely to be, sold in the United States at less than fair value as that term is used in the Antidumping Act. Accordingly, the Commission on January 28, 1965, instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended, to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notice of the institution of the investigation was published in the FEDERAL REGISTER (30 F.R. 1132). No public hearing in connection with the investigation was ordered by the Commission, but interested parties were referred to § 208.4 of the Commission's rules of practice and procedure (19 CFR 208.4) which provides that interested parties may, within 15 days after the date of publication of the Commission's notice of investigation in the FEDERAL REGISTER, request that a public hearing be held, stating reasons for the request. No request for a hearing was made.

In arriving at a determination in this case, due consideration was given by the Tariff Commission to all written submissions from interested parties and all factual information obtained by the Commission's staff.

On the basis of the investigation, the Commission (Commissioners Dorfman and Talbot dissenting) [1] has determined that an industry in the United States is being injured by reason of the importation of azobisformamide from Japan, sold at less than fair value, within the meaning of the Antidumping Act, 1921, as amended.

MAJORITY STATEMENT OF REASONS

Azobisformamide (AZ) is a chemical blowing agent used to create minute cellular structures within plastic sheetings so as to impart to the sheetings a number of characteristics such as softness, pliableness, resiliency, and thermal insulation.

Measuring the impact of imported Japanese AZ purchased below fair value which, at best, is complicated by the normal interrelationships in business, is further complicated in this case because of an emergency condition resulting from the accidental destruction in 1962 of an important segment of domestic productive capacity. The emergency not only led to importation of substantial quantities of Japanese AZ by a domestic manufacturer but also affected prices, patterns of market development, and domestic competitive conditions in ways that cannot be entirely unscrambled from what might have happened had the emergency not occurred.

Nevertheless, certain characteristics of the non-emergency (hereinafter referred to as "the normal") situation can be observed. Azobisformamide is a relatively new chemical and its development has made possible new high-quality, low-cost consumer products. To take full advantage of these new opportunities producers undertook substantial research on improved and integrated production facilities and new processing techniques and applications. Decisions had to be made concerning business commitments of money, plant, labor, management, continued research, and cooperative development work with users. Quite typically of the successful developments of this kind, certain interrelated events which are both causes and effects took place: volume increased, further commitments and developments were made, costs and prices began to come down, capacity periodically exceeded concurrent demand, and estimates of future potential resulted in still further commitments.

In the midst of this normal pattern (1962), the emergency occurred. Imports from Japan, which had been negligible previously, peaked at a very high figure in 1963 and consisted largely of emergency material for the account of a large U.S. producer. Meanwhile, "normal" imports from Japan, not for producers, began and increased rapidly from about 10,000 pounds in 1962 to over 200,000 pounds in 1964, an amount equal to a substantial portion (confidential) of domestic consumption of AZ.

In 1963 and 1964 prices declined. Some of this decline was in accord with the normal pattern of the typical dynamic situation, but the portion so ac-

[1] The views of Commissioners Dorfman and Talbot are filed as part of the original document.

counted for is roughly measurable and represents only a small part of the total decrease in the domestic price which amounted to as much as 42 percent.

The downward slide was so precipitate and so severe that the two major producers are now operating at a loss. Furthermore, two other companies which had invested in facilities with a view to entering the industry were virtually foreclosed from doing so. Price reductions by domestic producers followed reductions by importers. In addition, the injurious price depressing effect of sales at less than fair value was brought about not only by the quoted and actual sales price but also by the fact—amply demonstrated by the emergency imports—that tremendous amounts of AZ were available from Japan even on short notice.

It is true that the imported product at first encountered considerable resistance and some shipments required expensive regrinding in order to be used in the production of certain U.S. vinyl products. However, the Japanese quickly adjusted the product to meet U.S. specifications and in a short period acquired a significant number of new customers who had formerly tested or used the domestic product. Technical differences between domestic and foreign supplies are becoming less and less important and the difference in price is becoming a determining factor for more sales. Although the needs of established customers for technical service such as offered by U.S. producers are diminishing, the needs for research and the development of new customers continue.

In this market, fast becoming price competitive, the importers shaved their prices in order to hold and attract customers. The fact that imports of AZ continued at less than fair value prices, together with the fact that the importers continue to sell the Japanese AZ at shaved prices, even after the Treasury initiated its investigation and later withheld appraisement, is indicative of the price depressant effect of the sales at less than fair value as distinct from the mere presence in the market of the imported product.

The fact that domestic producers are exporting AZ in greater quantities than U.S. imports of Japanese AZ has no bearing on whether imports of the Japanese AZ are materially injuring the domestic industry. We would observe that the domestic exports are being sold in foreign markets in which third country competition has not yet started .

It has been argued that foreign commodities (of almost any type) have to sell at a price below their domestic counterparts if they are to sell at all. This may be true but, in dumping cases, it is irrelevant; otherwise the antidumping law is meaningless. Foreign suppliers are not unconditionally authorized to sell at whatever price is necessary for them to capture sales. Once the fact of sales below fair value has been established by the Secretary of the Treasury, the test is injury.

This determination and statements of reasons are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended.

By the Commission.

DONN N. BENT,
Secretary.

[F.R. Doc. 65-4540; Filed, Apr. 29, 1965; 8:48 a.m.]

[337-19]

WATCHES, WATCH MOVEMENTS, AND WATCH PARTS

Notice of Investigation and Date of Hearing

A complaint was filed with the Tariff Commission April 17, 1964, and an amended complaint was substituted therefor on December 28, 1964, by the Elgin Watch Co. of Elgin, Ill., and the Hamilton Watch Co. of Lancaster, Pa., alleging unfair methods of competition and unfair acts in the importation of watches, watch movements, and watch parts into the United States, or in their sale by the owner, importer, consignee, or agent of either, the effect or tendency of which is to restrain or monopolize trade and commerce in the United States in violation of the provisions of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). Complainants allege, inter alia, that the persons, partnerships, corporations, or associations hereinafter named individually and in concert:

(a) Have been and are conspiring to restrain unreasonably and monopolize U.S. trade and commerce in watches, watch movements, and watch parts;

(b) Have combined and conspired to discourage, restrict, and eliminate the manufacture of watches, watch movements, and watch parts in the United States, and to restrain U.S. imports of watches, watch movements, and watch parts for both manufacture and repair purposes;

(c) Have agreed to regulate the terms of sale and methods of distribution of watches, watch movements, and watch parts imported into and manufactured in the United States;

(d) Have restrained and prohibited U.S. manufacturers with affiliates in Switzerland, or otherwise dealing with the alleged combination, from purchasing watches, watch movements, and watch parts from sources outside the alleged combination, imposed limitations on the volume of U.S. production of watches, watch movements, and watch parts and on the kinds of watch components produced, and prohibited the rendering of technical aid or assistance to U.S. manufacturers by members of the alleged combination;

(e) Have agreed to manipulate and fix prices on watches and watch movements imported into the United States;

(f) Have discriminated in prices charged for watches, watch movements, and watch parts between areas with domestic watch industries and those without such industries; and

(g) Have conducted a continuing surveillance over Swiss affiliates of U.S. watch manufacturers, threatened reprisals, and invoked sanctions and penalties against those affiliates as a means of enforcing the restrictions imposed.

Those persons, partnerships, corporations, and associations alleged to be engaged in the activities in violation of section 337 hereinbefore described include:

(a) The following importers, all of whom have headquarters or principal offices in New York, N.Y.:

Benrus Watch Co., Inc.
Concord Watch Co., Inc.
Cyma Watch Co., Inc.
Diethelm and Keller, U.S.A., Ltd.
Eterna Watch Co. of America, Inc.
Jean R. Graef, Inc.
Gruen Watch Co.
Longines-Wittnauer Watch Co., Inc.
Norman M. Morris Corp.
Movado Watch Agency, Inc.
Rodana Watch Co., Inc.
Rolex American Watch Corp.
The Henri Stern Watch Agency, Inc.
American Watch Association, Inc., and

(b) The following firms, corporations, and associations alleged to be participating as coconspirators:

Federation Suisse des Associations de Fabricants D'Horlogerie, Bienne, Switzerland.
Ebauches, S.A., Neuchatel, Switzerland.
L'Union des Branches Annexes de L'Horlogerie, La Chaux de Fonds, Switzerland.
Societe Generale de L'Horlogerie Suisse, S.A., Bienne, Switzerland.
La Chambre Suisse de L'Horlogerie, La Chaux de Fonds, Switzerland.
The Watchmakers of Switzerland Information Center, Inc., New York, N.Y., and

(c) All members of Federation Suisse des Associations de Fabricants D'Horlogerie, not having watchmaking facilities in the continental United States, including the following, located in Switzerland:

Benrus Watch Co., Inc.
Concord Watch Company, S.A.
Eterna, S.A.
Gruen Watch Manufacturing Co., S.A.
Fabrique Movado, S.A.
Girard Perregaux and Co., S.A.
Graef and Co., S.A.
Omega Watch Co.
Cyma Watch Co.
Montres Rolex, S.A., and
Wittnauer et Cie., S.A.

Having conducted a preliminary inquiry with respect to the matters alleged in the said complaint in accordance with section 203.3 of the Commission's rules of practice and procedure (19 CFR 203.3), the U.S. Tariff Commission, on the 23d day of April 1965, *Ordered:*

(1) That, for the purposes of section 337 of the Tariff Act of 1930, an investigation is instituted with respect to the aforementioned alleged violations in the importation and sale in the United States of the said watches, watch movements, and watch parts.

(2) That a public hearing in connection with the said investigation to be held in the Hearing Room of the Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., e.d.s.t., on the 19th day of July 1965, at which hearing all parties concerned will be afforded an opportunity to be present, to produce evidence, and to be heard concerning the subject matter of the investigation.

Public notice of the receipt of the aforesaid amended complaint was published in the FEDERAL REGISTER for January 6, 1965 (30 F.R. 112), and in the Treasury Decisions for January 7, 1965, and the said amended complaint has

been available for inspection by interested persons continuously since issuance of the notices, at the office of the Secretary located in the Tariff Commission Building, and also in the New York City office of the Commission located in Room 437 of the Custom House.

Interested parties desiring to appear and give testimony at the hearing should notify the Secretary of the Commission in writing at least 5 days in advance of the opening of the hearing.

Issued: April 27, 1965.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 65-4541; Filed, Apr. 29, 1965; 8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 27, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39728—*Cement and related articles from Bettendorf, Iowa.* Filed by Western Trunk Line Committee, agent (No. A-2402), for interested rail carriers. Rates on cement and related articles, in carloads, from Bettendorf, Iowa, to specified points in western trunk-line territory.

Grounds for relief—Market competition.

Tariff—Supplement 170 to Western Trunk Line Committee, agent, tariff I.C.C. A-4308.

FSA No. 39729—*Fresh meats and packinghouse products from Monmouth, Ill.* Filed by Illinois Freight Association, agent (No. 278), for interested rail carriers. Rates on fresh meats and packinghouse products, in carloads, from Monmouth, Ill., to points in southern territory.

Grounds for relief—Market competition.

Tariff—Supplement 9 to Illinois Freight Association, agent, tariff I.C.C. 1036.

FSA No. 39730—*Lumber and related articles from points in Texas and New Mexico.* Filed by Southwestern Freight Bureau, agent (No. B-8717), for interested rail carriers. Rates on lumber and related articles, in carloads, from Ashley, Tex., Alamogordo and Tularosa, N. Mex., to points in official (including Illinois), southern, southwestern and western trunk-line territories.

Grounds for relief—Market competition and rate relationship.

Tariffs—Supplements 287, 15, 127, 8, and 180 to Southwestern Freight Bureau, agent, tariffs I.C.C. 3985, 4590, 4282, 4608 and 4262, respectively.

FSA No. 39731—*Lumber and related articles from points in Southwestern Territory.* Filed by Southwestern Freight Bureau, agent (No. B-8718), for interested rail carriers. Rates on lumber and related articles, in carloads, from points in southwestern territory, also Cairo and Thebes, Ill., Natchez and Vicksburg, Miss., Old Rock, Mo.-Kans., Coffeyville, Kans., and Memphis, Tenn., to points in Colorado, Illinois, and Indiana.

Grounds for relief—Carrier competition.

Tariffs—Supplements 287 and 180 to Southwestern Freight Bureau, agent, tariffs I.C.C. 3985 and 4262, respectively.

FSA No. 39732—*Sand and gravel to Paxton, Ill.* Filed by Illinois Freight Association, agent (No. 282), for and on behalf of Norfolk and Western Railway Co. Rates on sand and gravel, in carloads, from Lafayette, Ind., to Paxton, Ill.

Grounds for relief—Motor-truck competition.

Tariff—Supplement 24 to Norfolk & Western Railway Co. (NKP series) tariff I.C.C. 6442.

FSA No. 39733—*Pig iron from Keokuk, Iowa.* Filed by Western Trunk Line Committee, agent (No. A-2403), for interested rail carriers. Rates on pig iron, in carloads, from Keokuk, Iowa, to Lorain and South Lorain, Ohio.

Grounds for relief—Water and market competition.

Tariff—Supplement 69 to Western Trunk Line Committee, agent, tariff I.C.C. A-4300.

FSA No. 39734—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 537), for interested rail carriers. Rates on paint material, animal, or poultry feed and cottonseed and soybean oil, in carloads, from, to and between points in Texas, over interstate routes through adjoining states.

Grounds for relief—Intrastate rates and maintenance of rates from and to points in other States not subject to the same conditions.

Tariff—Supplement 29 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C. 998.

AGGREGATE-OF-INTERMEDIATES

FSA No. 39735—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 538), for interested rail carriers. Rates on paint material, animal, or poultry feed, etc., in carloads, from, to and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 29 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C. 998.

By the Commission.

[SEAL] BERTHA F. ARMES, *Acting Secretary.*

[F.R. Doc. 65-4536; Filed, Apr. 29, 1965; 8:47 a.m.]

[Notice 1163]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 27, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-35394. By order of April 22, 1965, the Transfer Board approved the lease to Willmar Moorhead, doing business as Conard Freight Line, Ames, Iowa, of the Certificate of Registration in No. MC-120277 (Sub-No. 1), issued August 4, 1964, to James W. Conard, doing business as Conard Freight Line, Ames, Iowa, authorizing transportation in interstate and foreign commerce corresponding to the grant of authority in certificates of convenience and necessity Nos. 303 and 580, transferred to lessor on February 20, 1963, by the Iowa State Commerce Commission. William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, representative for applicants.

No. MC-FC-67588. By order of April 23, 1965, the Transfer Board conditionally approved the transfer of a portion of the operating rights in Certificate No. MC-108228 (Sub-No. 1) and the entire operating rights in Certificate No. MC-108228 (Sub-No. 11), issued February 12, 1958, and November 4, 1960, respectively, in the name of J. A. Miles, Jr., Plant City, Fla., to Miles Trucking Co., Inc., Plant City, Fla. The operating rights authorized to be transferred covers the transportation, over irregular routes, of: Frozen fruits, berries and vegetables and candy, in from and to movements, serving named points and cities, and also State-wide authority in Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Jersey, New York, North and South Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, and Wisconsin. Paul A. Sand, Post Office Box 3239, Tampa, Fla., 33601, attorney for applicants.

No. MC-FC-67635. By order of April 23, 1965, the Transfer Board approved the transfer to Gray Van Express, Inc., Pittsfield, Mass., of certificate in No. MC-77584, issued June 14, 1941, to Thomas P. Gray, doing business as Gray Van Express, Pittsfield, Mass., authorizing the transportation of: General commodities, with the usual exceptions including household goods and commodities in bulk, between Great Barrington, Mass., and Albany, N.Y., serving certain named intermediate and off-route points, and

between Pittsfield, Mass., and Albany, N.Y., serving certain named intermediate and off-route points. William F. Henderson, 74 North Street, Pittsfield, Mass., 01202, attorney for applicants.

No MC-FC-67668. By order of April 22, 1965, the Transfer Board approved the transfer to New England Movers, Inc., Springfield, Mass., of the operating rights issued by the Commission February 13, 1942, under Certificate No. MC-2518 to Guy P. Sears, doing business as Guy P. Sears, Mover, Springfield, Mass., authorizing the transportation of household goods, over irregular routes, between Springfield, Mass., and points in Massachusetts within 15 miles of Springfield, on the one hand, and, on the other, points in Connecticut, New Hampshire, New Jersey, New York, Pennsylvania, and Rhode Island. Jacob Richmond, 1562 Main Street, Springfield, Mass., attorney for transferor.

No. MC-FC-67717. By order of April 22, 1965, the Transfer Board approved the transfer to LeRoy Davis Truck Service, Inc., Zion, Ill., of Certificate of Registration No. MC-988819 (Sub-No. 1), issued November 1, 1963, to LeRoy Davis, doing business as Davis Truck Service, Zion, Ill., evidencing the right of the holder thereof to engage in interstate or foreign commerce, corresponding in scope to the service authorized by Certificate No. 4638 MC, dated April 5, 1955, by the Illinois Commerce Commission. Theodore A. Mitchell, 1125-27th Street, Zion, Ill., attorney for applicants.

No. MC-FC-67719. By order of April 23, 1965, the Transfer Board, on reconsideration, approved the transfer to Gardiner's Express, Inc., Hammonton, N.J., of the operating rights in Certificate No. MC-116118, issued June 8, 1964, to Jericho Motor Express, Inc., Cherry Hill, N.J., authorizing the transportation, over irregular routes, of: General commodities, with the usual exceptions, between Philadelphia, Pa., on the one hand, and, on the other, points in a specified portion of New Jersey. Charles H. Trayford, 220 East 42d Street, New York 17, N.Y., representative for applicants. George Olsen, 69 Tonnelle Avenue, Jersey City, N.J., representative for applicants. David R. Fitzsimons, Boardwalk National Bank Building, Atlantic City, N.J., attorney for applicants.

No. MC-FC-67741. By order of April 20, 1965, the Transfer Board approved the transfer to Wery Travel Service, Inc., 634 North 27th Street, Milwaukee, Wis., of brokerage license No. MC-12563 (Sub-No. 2), issued August 11, 1960, to Clayton A. Wery, doing business as Wery Travel Service, 634 North 27th Street, Milwaukee, Wis., authorizing the holder thereof to engage in operations as a broker in arranging for the transportation of passengers and their baggage, in all expense tours, and in special operations (1) beginning and ending at Milwaukee, Wis., and extending to points in the United States, and (2) between points in the United States.

No. MC-FC-67811. By order of April 23, 1965, the Transfer Board approved the transfer to Pasquale Martinelli, doing business as Scott Motor Express, Williamstown, N.J., of a portion of the operating rights in Certificate No. MC-8543, issued April 17, 1962, to William Jacobs, doing business as Gardiner's Express, Hammonton, N.J., authorizing the transportation, over regular routes, of general commodities, with the usual exceptions, between Hammonton, N.J., and Philadelphia, Pa., over specified regular routes, serving all intermediate points, and off-route points within 5 miles of Hammonton. Charles H. Trayford, 220 East 42d Street, New York 17, N.Y., representative for applicants. David R. Fitzsimons, Boardwalk National Bank Building, Atlantic City, N.J., 08401, attorney for applicants.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-4538; Filed, Apr. 29, 1965; 8:48 a.m.]

CUMULATIVE LIST OF CFR PARTS AFFECTED—APRIL

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during April.

3 CFR

Page

PROCLAMATIONS:
- 3423 (corrected by PLO 3576) 4476
- 3649 4307
- 3650 4309
- 3651 4525
- 3652 5415
- 3653 5417
- 3654 6109

EXECUTIVE ORDERS:
- Mar. 3, 1854 (revoked in part by PLO 3630) 5481
- May 4, 1907 (revoked in part by PLO 3594) 4502
- July 2, 1910 (revoked in part by PLO 3616) 5378
- Dec. 19, 1910 (modified by PLO 3596) 4542
- Jan. 24, 1914 (revoked in part by PLO 3569) 4253
- May 4, 1914 (revoked in part by PLO 3599) 4678
- May 17, 1917 (modified by PLO 3596) 4542
- Apr. 17, 1926:
  - Revoked in part by PLO 3591 4541
  - Revoked in part by PLO 3599 4678
  - Revoked in part by PLO 3604 4717
- June 17, 1935 (revoked by PLO 3623) 5480
- 2347 (revoked by PLO 3572) 4254
- 3406 (revoked in part by PLO 3590) 4541
- 4719 (revoked by PLO 3602) 4679
- 5182 (revoked in part by PLO 3601) 4679
- 5289 (revoked by PLO 3571) 4253
- 5327 (see PLO 3573) 4254
- 5352 (revoked by PLO 3602) 4679
- 6039 (revoked in part by PLO 3592) 4541
- 6143 (revoked in part by PLO 3589) 4541
- 8977 (revoked by EO 11215) 4661
- 11017 (amended by EO 11218) 5821
- 11052 (amended by EO 11214) 4527
- 11176 (superseded by EO 11213) 4389
- 11211 4385
- 11212 4387
- 11213 4389
- 11214 4527
- 11215 4661
- 11216 5817
- 11217 5819
- 11218 5821

5 CFR

- 213 4311, 4410, 4663, 4711, 4745, 5471, 5503, 5619, 5701, 5787, 5825, 5897, 6111
- 316 4349
- 410 5503
- 511 4410, 5619
- 534 4410, 5619
- 550 4609, 4663, 4745

6 CFR

- 4 6111

7 CFR

Page

- 7 5759, 5787
- 11 4240
- 26 4605, 5760
- 51 6063
- 53 4453
- 81 6064
- 301 4311, 5760, 5761
- 318 5619
- 319 4745
- 354 4745
- 401 4240, 6111
- 719 5701
- 722 4606
- 723 4313
- 724 4313
- 728 5467
- 730 5503, 5619
- 775 5334
- 777 5358
- 811 4314
- 814 4746
- 849 5825
- 905 4663, 5358, 6065
- 907 4349, 4664, 4749, 5503, 5620, 5787
- 908 4349, 4665, 4750, 5504, 5620, 5787, 5788
- 909 5788
- 910 4350, 4665, 5504, 5573, 5789, 5826
- 911 5620
- 915 4666
- 917 4711
- 944 5359, 5621, 6065
- 965 4350
- 980 5505
- 1005 6111
- 1030 4241
- 1031 4314
- 1032 4314
- 1038 4314
- 1039 4314
- 1048 5789
- 1051 4314
- 1062 4314
- 1063 4314
- 1070 4314
- 1078 4314
- 1079 4314
- 1131 4250
- 1201 5826
- 1421 4529, 4606, 4068, 4666, 4667, 4750, 5702, 5762.
- 1427 4410
- 1430 4351
- 1438 5573
- 1483 4531
- 1485 4314
- 1486 4532
- 1600 4315
- 1601 4315

PROPOSED RULES:
- 29 4361
- 51 5382, 5850
- 52 4486
- 718 5708
- 724 5641
- 908 4635
- 930 5514
- 965 4761
- 980 4416
- 989 4361

7 CFR—Continued

Page

PROPOSED RULES—Continued
- 1005 4761, 5904
- 1048 4764
- 1063 5603, 5907
- 1070 5603, 5907
- 1078 5603, 5907
- 1079 5603, 5907
- 1138 5851
- 1201 4321

8 CFR

- 103 5471
- 212 4411
- 214 4351, 4533
- 237 4411
- 341 5471, 5621

9 CFR

- 74 4790
- 75 5790
- 97 4609
- 114 4751
- 317 5702
- 318 5702

PROPOSED RULES:
- 101 5514
- 103 5514
- 201 4486, 4847
- 316 5708
- 317 5708
- 318 5708

10 CFR

- 30 4353
- 150 4353

PROPOSED RULES:
- 30 4764, 6118

12 CFR

- 8 4462, 5742
- 217 5574
- 220 5826
- 545 5472–5474
- 563 4251

PROPOSED RULES:
- 17 6074
- 545 5861

13 CFR

- 121 4252, 5703

14 CFR

- 25 6066, 6112
- 39 4246, 4318, 4533, 4609, 5506, 5621, 5622, 5827, 5897, 6067.
- 61 4669
- 71 4318, 4391, 4462, 4463, 4533, 4534, 4610, 4669, 4670, 4751, 4752, 5359, 5506, 5575, 5622–5624, 5703, 5731, 5790, 5827, 5829–5831, 5898, 5899, 6068, 6069, 6113.
- 73 4391, 4464, 4534, 4752, 5624, 5831, 6068, 6114.
- 75 4464, 5790, 5831
- 91 5507, 6070
- 93 5575
- 95 5576
- 97 4392, 5360, 5455, 5732, 5831
- 121 6066, 6112
- 135 4353

43 CFR—Continued

PUBLIC LAND ORDERS—Continued

44 CFR

45 CFR

46 CFR

46 CFR—Continued

PROPOSED RULES:

47 CFR

PROPOSED RULES:

49 CFR

PROPOSED RULES:

50 CFR

PROPOSED RULES: